INSTITUTES

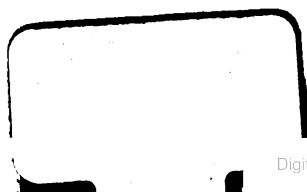
OF

HINDU LAW

OR THE

ORDINANCES

OF MENU

S.G.GRADY

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INSTITUTES OF

HINDU LAW;

OR,

THE ORDINANCES OF MENU,

ACCORDING TO

THE GLOSS OF CULLÚCA:

COMPRISING THE

INDIAN SYSTEM OF DUTIES, RELIGIOUS AND CIVIL.

VERBALLY TRANSLATED FROM THE ORIGINAL, WITH A PREFACE,

BY

SIR WILLIAM JONES;

AND COLLATED WITH THE SANSCRIT TEXT

BY

GRAVES CHAMNEY HAUGHTON, M.A., F.R.S.,

PROFESSOR OF HINDU LITERATURE IN THE EAST INDIA COLLEGE.

THIRD EDITION, WITH PREFACE AND INDEX

BY

STANDISH GROVE GRADY,

BARRISTER-AT-LAW; RECORDER OF GRAVESEND;

Reader on Hindu, Mahommedan, and Indian Law to the Inns of Court;
Author of "The Hindoo Law of Inheritance," and
"The Mahommedan Law of Inheritance and Contract."

LONDON:
W<u>M</u> H. ALLEN & CO., 13, WATERLOO PLACE, S.W.

1869.

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ADVERTISEMENT TO THIRD EDITION.

The Inns of Court having founded a Readership of Hindu, Mahommedan, and Indian Law for the legal training of the numerous students who annually come from India to acquire a knowledge of our legal system, it has become necessary to select for study some of the early translations of Hindu and Mahommedan works, the original texts of which may be regarded as the sources of the respective native systems. But the works on these subjects are scarce, expensive, and have been published in a most cumbersome form. It has occurred to the editor that this would be a favourable opportunity to publish new editions of some of these works, in such a form and at such prices as would bring them within the reach of all those who are engaged in learning, in practising, and in administering the native laws, and he has now made his first attempt with the Institutes of Menu, translated by Sir William Jones, and revised and collated by Mr. (afterwards Sir G. C.) Haughton; comprising, as Sir W. Jones says, that system of duties, civil and religious, and of law in all its branches, which the Hindoos venerate as having been promulgated in the beginning of time by Menu, the son of Brahma. It was at first intended to append notes of all those cases which have since been decided by the Courts of India and the Privy Council, upon the authority of the text of Menu, but that idea has been abandoned in consequence of the great bulk to which the work would have swollen,

and consequently the great increase of expense it would have occasioned. Whether this text of Menu would not form the groundwork of a new edition on the plan of Smith's Leading Cases, may be a subject of consideration for some aspiring and enterprising lawyer, imbued with the spirit of Hindu constitutions, who has time at his command, and who is anxious to perpetuate his fame, and hand his name down to posterity, as a benefactor of the human family; certain it is that there could be no more useful work. The editor would like to see such a work undertaken by his learned friend and former pupil, Mr. Sloan, of the Madras Bar, whose great legal attainments and thorough knowledge of Hindu institutions would enable him to do justice to it.

But although the editor has been unable, for the reasons already assigned, to do little more than pass through the press the original translation of Sir W. Jones, he has not been unmindful that the life of every law-book is its index, without which it is of little use, especially to the English student or lawyer. He has therefore added one to this edition of Menu, as copious as a regard to his original intention would permit. In preparing this index, he has found greater difficulty (which may perhaps account for the omission in former editions) than he at first anticipated. The terseness of the style of the work, the peculiarity of the doctrines contained in it, and the obscurity of several of its texts, combined to render the preparation of a full and complete index difficult. He hopes, however, that, for all practical purposes, the present will be found sufficient. References to many passages have been omitted in the index, as likely to increase the bulk and expense, without any equivalent advantage, as there are parts of the original work of little utility to the student or practical lawyer. With a like view the inverted commas, under which Sir W. Jones quotes the utterances of Menu, have been omitted in the present edition, and the quotations are distinguished by the slokas being brought forward in the page. In the index, the slokas are invariably referred to by the number of the original work, as well as the page in the

present edition; and as all the old numbers of the slokas have been retained, the difference of the paging of the old and present edition will be of little importance.

Mr. Haughton's notes have been transferred from the Appendix to their proper place at the foot of the page, where reference is made to them.

Those students who wish to consult the original Sanscrit can find copies of it at Messrs. ALLEN'S, Waterloo Place, London.

THE EDITOR.

5, ESSEX COURT,
30*th August*, 1869.

ADVERTISEMENT

TO THE PREVIOUS EDITION.

HAVING been for some time engaged in preparing the Institutes of Menu for publication in the Sanscrit language, it appeared to me, that as Sir WILLIAM JONES's translation had been long out of print, a new edition would not only be acceptable to the public at large, but more especially to those engaged in the study of the Sanscrit language, as the great difficulty of the original text made some help of the kind indispensable. In consequence the version of the learned translator has been carefully revised and compared; and as variations, though of trifling importance, have been discovered, they have been carefully recorded at the end of the work.* The discrepancies in question may have arisen from some variety in the readings of the manuscripts consulted by Sir WILLIAM JONES. It appeared, however, advisable to take some notice of those which seemed of most importance to the Sanscrit student. The learned translator intended, as he has stated in his Preface, to mark by *Italick* letters all that he had borrowed from the Commentators on Menu, and to print the text of his author in *Roman* letters; an arrangement that was intended to afford the reader a precise idea of the original work. It will easily be understood by persons accustomed to the preparation of works for the press, that a rule like this would be occasionally forgotten.

* In the third edition they will be found in footnotes on the pages where they are referred to.

And indeed it has sometimes, though rarely, occurred, that passages have been printed in Italick that should have been put in Roman letters. Every attention has therefore been paid to fulfil the translator's intentions, and the reader may be certain that this singularly interesting record of antiquity is now submitted to him with an exactness and fidelity not attained in the former editions. But it is fair to state, that the first and twelfth books are those which are least literal: this is more particularly the case with the latter. The peculiarity of the doctrines contained in these books will account for the fact, and at the same time explain the difficulty the learned translator laboured under in conveying ideas so novel in their nature to the English reader. When, however, the probable antiquity of the original work, and the occasional obscurity of some of its texts, are considered, it must be conceded, that the translator has been generally happy in his interpretation. The great celebrity which has attended the work since its first appearance in England, encourages a hope that its republication will meet the approbation of those, who, though unacquainted with Oriental literature, take an interest in whatever regards the history of the human mind, and the progress of civilization, to which European nations are under so many obligations.

G. C. HAUGHTON.

East-India College, Herts,
6th Jan. 1825.

PREFACE

BY

SIR WILLIAM JONES.

It is a maxim in the science of legislation and government, that *Laws are of no avail without manners*, or, to explain the sentence more fully, that the best intended legislative provisions would have no beneficial effect even at first, and none at all in a short course of time, unless they were congenial to the disposition and habits, to the religious prejudices, and approved immemorial usages of the people for whom they were enacted; especially if that people universally and sincerely believed, that all their ancient usages and established rules of conduct had the sanction of an actual revelation from heaven: the legislature of *Britain* having shown, in compliance with this maxim, an intention to leave the natives of these *Indian* provinces in possession of their own Laws, at least on the titles of *contracts* and *inheritances*, we may humbly presume, that all future provisions, for the administration of justice and government in *India*, will be conformable, as far as the natives are affected by them, to the manners and opinions of the natives themselves; an object, which cannot possibly be attained, until those manners and opinions can be fully and accurately known. These considerations, and a few others more immediately within my province, were my principal motives for wishing to know, and have induced me at length to publish, that system of duties, religious and civil, and of law in all its branches, which the *Hindus* firmly believe to have been promulged in the begin-

ning of time by MENU, son or grandson of BRAHMA', or, in plain language, the first of created beings, and not the oldest only, but the holiest, of legislators; a system so comprehensive and so minutely exact, that it may be considered as the *Institutes* of *Hindu* Law, preparatory to the copious *Digest*, which has lately been compiled by *Pandits* of eminent learning, and introductory perhaps to a *Code*, which may supply the many natural defects in the old jurisprudence of this country, and, without any deviation from its principles, accommodate it justly to the improvements of a commercial age.

We are lost in an inextricable labyrinth of imaginary astronomical cycles, *Yugas*, *Maháyugas*, *Calpas*, and *Menwantaras*, in attempting to calculate the time, when the first MENU, according to the *Bráhmens*, governed this world, and became the progenitor of mankind, who from him are called *Mánaváh;* nor can we, so clouded are the old history and chronology of *India* with fables and allegories, ascertain the precise age, when the work, now presented to the Publick, was actually composed; but we are in possession of some evidence, partly extrinsick and partly internal, that it is really one of the oldest compositions existing. From a text of PARA'SARA, discovered by Mr. DAVIS, it appears, that the vernal equinox had gone back from the *tenth* degree of *Bharanì* to the *first* of *Aswinì*, or *twenty-three degrees and twenty minutes*, between the days of that *Indian* philosopher, and the year of our Lord 499, when it coincided with the origin of the *Hindu* ecliptick; so that PARA'SARA probably flourished near the close of the *twelfth* century before CHRIST: now PARA'SARA was the grandson of another sage, named VA'SISHT'HA, who is often mentioned in the laws of MENU, and once as contemporary with the divine BHRIGU himself; but the character of BHRIGU, and the whole dramatical arrangement of the book before us, are clearly fictitious and ornamental, with a design, too common among ancient lawgivers, of stamping authority on the work by the introduction of supernatural personages, though VA'SISHT'HA may have lived many generations before the actual writer of it; who names him, indeed, in one or two places, as a philosopher in

an earlier period. The style, however, and metre of this work (which there is not the smallest reason to think affectedly obsolete) are widely different from the language and metrical rules of CA'LIDA'S, who unquestionably wrote before the beginning of our era; and the dialect of MENU is even observed, in many passages, to resemble that of the *Véda*, particularly in a departure from the more modern grammatical forms; whence it must at first view seem very probable, that the laws, now brought to light, were considerably older than those of SOLON or even of LYCURGUS, although the promulgation of them, before they were reduced to writing, might have been coeval with the first monarchies established in *Egypt* or *Asia:* but, having had the singular good fortune to procure ancient copies of eleven *Upanishads*, with a very perspicuous comment, I am enabled to fix with more exactness the probable age of the work before us, and even to limit its highest possible age, by a mode of reasoning, which may be thought new, but will be found, I persuade myself, satisfactory; if the Publick shall on this occasion give me credit for a few very curious facts, which, though capable of strict proof, can at present be only asserted. The *Sanscrit* of the three first *Védas* (I need not here speak of the fourth), that of the *Mánava Dherma Sástra*, and that of the *Puránas*, differ from each other in pretty exact proportion to the *Latin* of NUMA, from whose laws entire sentences are preserved, that of APPIUS, which we see in the fragments of the Twelve Tables, and that of CICERO, or of LUCRETIUS, where he has not affected an obsolete style: if the several changes, therefore, of *Sanscrit* and *Latin* took place, as we may fairly assume, in times very nearly proportional, the *Védas* must have been written about 300 years before these Institutes, and about 600 before the *Puránas* and *Itihásas*, which, I am fully convinced, were not the productions of VYA'SA; so that, if the son of PARA'SARA committed the traditional *Védas* to writing in the *Sanscrit* of his father's time, the original of this book must have received its present form about 880 years before CHRIST'S birth. If the texts, indeed, which VYA'SA collected, had been actually *written*, in a much older dialect, by the sages preceding him, we must inquire into the greatest

possible age of the *Védas* themselves: now one of the longest and finest *Upanishads* in the second *Véda* contains three lists, in a regular series upwards, of at most *forty-two* pupils and preceptors, who successively received and transmitted (probably by oral tradition) the doctrines contained in that *Upanishad;* and as the old *Indian* priests were students at *fifteen,* and instructors at *twenty-five,* we cannot allow more than *ten* years, on an average, for each interval between the respective traditions; whence, as there are *forty* such intervals, in two of the lists, between VYA'SA, who arranged the whole work, and AYA'SA, who is extolled at the beginning of it, and just as many, in the third list, between the compiler and YA'JNYAWALCYA, who makes the principal figure in it, we find the highest age of the *Yajur Véda* to be 1580 years before the birth of our Saviour, (which would make it older than the five books of MOSES) and that of our *Indian* law tract about 1280 years before the same epoch. The former date, however, seems the more probable of the two, because the *Hindu* sages are said to have delivered their knowledge orally, and the very word *Sruta,* which we often see used for the *Véda* itself, means *what was heard;* not to insist, that CULLU'CA expressly declares the sense of the *Véda* to be conveyed in the *language* of VYA'SA. Whether MENU or MENUS in the nominative and MENO'S in an oblique case, was the same personage with MINOS, let others determine; but he must indubitably have been far older than the work, which contains his laws, and, though perhaps he was never in *Crete,* yet some of his institutions may well have been adopted in that island, whence LYCURGUS, a century or two afterwards, may have imported them to *Sparta.*

There is certainly a strong resemblance, though obscured and faded by time, between our MENU with his divine Bull, whom he names as DHERMA himself, or the genius of abstract justice, and the MNEUES of *Egypt* with his companion or symbol, *Apis;* and, though we should be constantly on our guard against the delusion of etymological conjecture, yet we cannot but admit that MINOS and MNEUES, or *Mneuis,* have only *Greek* terminations, but that the crude noun is composed of the same radical letters both in *Greek* and in *Sanscrit.*

"That Apis and Mneuis," says the Analyst of ancient Mythology, "were both representations of some personage, appears from the testimony of Lycophron and his scholiast; and that personage was the same, who in *Crete* was styled Minos, and who was also represented under the emblem of the *Minotaur:* Diodorus, who confines him to *Egypt,* speaks of him by the title of the bull *Mneuis,* as the first law-giver, and says, 'That he lived after the age of the gods and heroes, when a change was made in the manner of life among men; that he was a man of a most exalted soul, and a great promoter of civil society, which he benefited by his laws; and those laws were unwritten, and received by him from the chief *Egyptian* deity Hermes, who conferred them on the world as a gift of the highest importance.' He was the same," adds my learned friend, "with Menes, whom the *Egyptians* represented as their first king and principal benefactor, who first sacrificed to the gods, and brought about a great change in diet." If Minos, the son of Jupiter, whom the *Cretans,* from national vanity, might have made a native of their own island, was really the same person with Menu, the son of Brahma', we have the good fortune to restore, by means of *Indian* literature, the most celebrated system of heathen jurisprudence, and this work might have been entitled *The Laws of* Minos; but the paradox is too singular to be confidently asserted, and the geographical part of the book, with most of the allusions to natural history, must indubitably have been written after the *Hindu* race had settled to the south of *Himálaya.* We cannot but remark that the word Menu has no relation whatever to the *Moon;* and that it was the *seventh,* not the *first,* of that name, whom the *Bráhmens* believe to have been preserved in an ark from the general deluge: him they call the *Child of the Sun,* to distinguish him from our legislator; but they assign to his brother Yama *the office* (which the *Greeks* were pleased to confer on Minos) *of Judge in the shades below.*

The name of Menu is clearly derived (like *menes, mens,* and *mind*) from the root *men* to *understand;* and it signifies, as all the *Pandits* agree, *intelligent,* particularly in the doctrines of the *Véda,* which the composer of our *Dherma*

Sástra must have studied very diligently; since great numbers of its texts, changed only in a few syllables for the sake of the measure, are interspersed through the work and cited at length in the commentaries: the Publick may, therefore, assure themselves, that they now possess a considerable part of the *Hindu* scripture, without the dullness of its profane ritual or much of its mystical jargon. DA'RA SHUCU'H was persuaded, and not without sound reason, that the first MENU of the *Bráhmens* could be no other person than the progenitor of mankind, to whom *Jews*, *Christians*, and *Muselmáns* unite in giving the name of ADAM; but, whoever he might have been, he is highly honoured by name in the *Véda* itself, where it is declared, that "whatever MENU pronounced, was a medicine for the soul;" and the sage VRIHASPETI, now supposed to preside over the planet *Jupiter*, says in his own law tract, that "MENU held the first rank among legislators, because he had expressed in his code the whole sense of the *Véda;* that no code was approved, which contradicted MENU; that other *Sástras*, and treatises on grammar or logick, retained splendour so long only, as MENU, who taught the way to just wealth, to virtue, and to final happiness, was not seen in competition with them;" VYA'SA too, the son of PARA'SARA before mentioned, has decided, that "the *Véda* with its *Angas*, or the six compositions deduced from it, the revealed system of medicine, the *Puránas*, or sacred histories, and the code of MENU, were four works of supreme authority, which ought never to be shaken by arguments merely human."

It is the general opinion of *Pandits*, that BRAHMA' taught his laws to MENU in a *hundred thousand verses*, which MENU explained to the primitive world in the very words of the book now translated, where he names himself, after the manner of ancient sages, in the third person; but, in a short preface to the law tract of NA'RED, it is asserted, that "MENU, having written the laws of BRAHMA' in a hundred thousand *slócas* or couplets, arranged under *twenty-four* heads in a *thousand* chapters, delivered the work to NA'RED, the sage among gods, who abridged it, for the use of mankind, in *twelve thousand* verses, and gave them to a son of BHRIGU,

named SUMATI, who, for greater ease to the human race, reduced them to *four thousand;* that mortals read only the second abridgement by SUMATI, while the gods of the lower heaven, and the band of celestial musicians, are engaged in studying the primary code, beginning with the fifth verse, a little varied, of the work now extant on earth; but that nothing remains of NA'RED's abridgement, except an elegant epitome of the *ninth* original title *on the administration of justice.*" Now, since these institutes consist only of *two thousand six hundred* and *eighty five* verses, they cannot be the whole work ascribed to SUMATI, which is probably distinguished by the name of the *Vrĭdd'ha,* or ancient, *Mánava,* and cannot be found entire; though several passages from it, which have been preserved by tradition, are occasionally cited in the new digest.

A number of glosses or comments on MENU were composed by the *Munis,* or old philosophers, whose treatises, together with that before us, constitute the *Dherma Sástra,* in a collective sense, or *Body of Law;* among the more modern commentaries, that called *Médhátit'hi,* that by GO'VINDARA'JA, and that by DHARANI'-DHERA, were once in the greatest repute; but the first was reckoned prolix and unequal; the second, concise but obscure; and the third, often erroneous. At length appeared CULLU'CA BHATTA; who, after a painful course of study and the collation of numerous manuscripts, produced a work, of which it may, perhaps, be said very truly, that it is the shortest, yet the most luminous, the least ostentatious, yet the most learned, the deepest, yet the most agreeable, commentary ever composed on any author ancient or modern, *Európean* or *Asiatick.* The *Pandits* care so little for genuine chronology, that none of them can tell me the age of CULLU'CA, whom they always name with applause; but he informs us himself, that he was a *Bráhmen* of the *Váréndra* tribe, whose family had been long settled in *Gaur* or *Bengal,* but that he had chosen his residence among the learned on the banks of the holy river at *Cási.* His text and interpretation I have almost implicitly followed, though I had myself collated many copies of MENU, and

among them a manuscript of a very ancient date: his gloss is here printed in *Italicks;* and any reader, who may choose to pass it over as if unprinted, will have in *Roman* letters an exact version of the original, and may form some idea of its character and structure, as well as of the *Sanscrit* idiom, which must necessarily be preserved in a verbal translation; and a translation, not scrupulously verbal, would have been highly improper in a work on so delicate and momentous a subject as private and criminal jurisprudence.

Should a series of *Bráhmens* omit, for three generations, the reading of MENU, their sacerdotal class, as all the *Pandits* assure me, would in strictness be forfeited; but they must explain it only to their pupils of the three highest classes; and the *Bráhmen,* who read it with me, requested most earnestly, that his name might be concealed; nor would he have read it for any consideration on a forbidden day of the moon, or without the ceremonies prescribed in the second and fourth chapters for a lecture on the *Véda:* so great, indeed, is the idea of sanctity annexed to this book, that, when the chief native magistrate at *Banares* endeavoured, at my request, to procure a *Persian* translation of it, before I had a hope of being at any time able to understand the original, the *Pandits* of his court unanimously and positively refused to assist in the work; nor should I have procured it at all, if a wealthy *Hindu* at *Gayà* had not caused the version to be made by some of his dependants, at the desire of my friend Mr. LAW. The *Persian* translation of MENU, like all others from the *Sanscrit* into that language, is a rude intermixture of the text, loosely rendered, with some old or new comment, and often with the crude notions of the translator; and, though it expresses the general sense of the original, yet it swarms with errours, imputable partly to haste, and partly to ignorance: thus where MENU says, *that emissaries are the eyes of a prince,* the *Persian* phrase makes him ascribe *four eyes* to the person of a king; for the word *chár,* which means *an emissary* in *Sanscrit,* signifies *four* in the popular dialect.

The work, now presented to the *European* world, contains

abundance of curious matter extremely interesting both to speculative lawyers and antiquaries, with many beauties, which need not be pointed out, and with many blemishes, which cannot be justified or palliated. It is a system of despotism and priestcraft, both indeed limited by law, but artfully conspiring to give mutual support, though with mutual checks; it is filled with strange conceits in metaphysicks and natural philosophy, with idle superstitions, and with a scheme of theology most obscurely figurative, and consequently liable to dangerous misconception; it abounds with minute and childish formalities, with ceremonies generally absurd and often ridiculous; the punishments are partial and fanciful; for some crimes, dreadfully cruel, for others reprehensibly slight; and the very morals, though rigid enough on the whole, are in one or two instances (as in the case of light oaths and of pious perjury) unaccountably relaxed: nevertheless, a spirit of sublime devotion, of benevolence to mankind, and of amiable tenderness to all sentient creatures, pervades the whole work; the style of it has a certain austere majesty, that sounds like the language of legislation and extorts a respectful awe; the sentiments of independence on all beings but GOD, and the harsh admonitions even to kings, are truly noble; and the many panegyricks on the *Gáyatrì*, the *Mother*, as it is called, of the *Véda*, prove the author to have *adored* (not the visible material *sun*, but) *that divine and incomparably greater light*, to use the words of the most venerable text in the *Indian* scripture, *which illumines all, delights all, from which all proceed, to which all must return, and which alone can irradiate* (not our visual organs merely, but our souls and) *our intellects*. Whatever opinion in short may be formed of MENU and his laws, in a country happily enlightened by sound philosophy and the only true revelation, it must be remembered, that those laws are actually revered, as the word of the Most High, by nations of great importance to the political and commercial interests of *Europe*, and particularly by many millions of *Hindu* subjects, whose well directed industry would add largely to the wealth of *Britain*, and

who ask no more in return than protection for their persons and places of abode, justice in their temporal concerns, indulgence to the prejudices of their old religion, and the benefit of those laws, which they have been taught to believe sacred, and which alone they can possibly comprehend.

W. JONES.

THE

LAWS

OF

MENU, SON OF BRAHMA'.

CHAPTER I.

ON THE CREATION; WITH A SUMMARY OF THE CONTENTS.

1. MENU *sat* reclined, with his attention fixed on one object, *the Supreme* GOD; *when* the divine Sages approached *him, and,* after mutual salutations in due form, delivered the following address:

2. Deign, sovereign ruler, to apprize us of the sacred laws in their order, as they must be followed by all the *four* classes, and by each of them, in their several degrees, together with the duties of every mixed class;

3. For thou, Lord, *and thou* only *among mortals,* knowest the true sense, the first principle, *and* the prescribed ceremonies, of this universal, supernatural *Véda,* unlimited in extent and unequalled in authority.

4. HE, whose powers were measureless, being thus requested by the great Sages, whose thoughts were profound, saluted them all with reverence, and gave them a comprehensive answer, *saying:* Be it heard!

5. This *universe* existed only *in the first divine idea yet unexpanded, as if involved* in darkness, imperceptible, undefinable, undiscoverable by reason, *and* undiscovered *by revelation,* as if it were wholly immersed in sleep:

6. Then the *sole* self-existing power, himself undiscerned, but making this world discernible, with five elements and other principles *of nature,* appeared with undiminished glory, *expanding his idea, or* dispelling the gloom.

7. HE, whom the mind alone can perceive, whose essence eludes the external organs, who has no visible parts, who exists from eternity, even HE, the soul of all beings, whom no being can comprehend, shone forth in person.

8. HE, having willed to produce various beings from his own divine substance, first with a thought created the waters, and placed in them a productive seed :

9. The *seed* became an egg bright as gold, blazing like the luminary with a thousand beams; and in that egg, he was born himself, *in the form of* BRAHMA′, the great forefather of all spirits.

10. The waters are called *nárá,* because they were the production of NARA, *or the spirit of* GOD; and since they were his first *ayana,* or *place of motion,* he thence is named NA′RA′YANA, or *moving on the waters.*

11. From THAT WHICH IS, the first cause, not the object of sense, existing *everywhere in substance,* not existing *to our perception,* without beginning or end, was produced the divine male, famed in all worlds under the appellation of BRAHMA′.

12. In that egg the great power sat inactive a whole year *of the Creator,* at the close of which, by his thought alone, he caused the egg to divide itself;

13. And from its two divisions he framed the heaven *above* and the earth *beneath:* in the midst *he placed* the subtil ether, the eight regions, and the permanent receptacle of waters.

14. From the supreme soul he drew forth Mind, existing substantially though unperceived by sense, immaterial; and *before* mind, *or the reasoning power, he produced* consciousness, the internal monitor, the ruler;

15. And, *before them both,* he produced the great *principle of* the soul, *or first expansion of the divine idea;* and all vital forms endued with the three qualities of *goodness,*

passion, and *darkness*; and the *five* perceptions of sense, and the five organs of sensation.*

16. *Thus*, having at once pervaded, with emanations from the Supreme Spirit, the minutest portions of six principles immensely operative, *consciousness and the five perceptions*, He framed all creatures;

17. And since the minutest particles of visible nature have a dependence on those *six* emanations from God, the wise have accordingly given the name of *s'aríra or depending on six, that is, the ten organs on consciousness, and the five elements on as many perceptions*, to His *image or* appearance in visible nature:

18. Thence proceed the great elements, endued with

* In Hindu metaphysicks, "the five perceptions of sense" imply, the sight as referable to the eyes, the hearing to the ears, the scent to the nose, the taste to the tongue, and the touch to the skin. By "the five organs of sensation" (sense?), are intended the hand, the foot, the voice, the organ of generation, and that of excretion. The commentator identifies what is mentioned here with what is said Chap. II. verses 90 and 91, but the difference in the denominations would lead to a doubt whether the same objects are intended in the two places; for in the latter verses the first class are termed "organs of sense," and the second "organs of action." Were it not for this interpretation of the passage, Chap. I. verse 15, by the Hindu commentators, I should be inclined to translate the hemistich thus: "and the five organs of sense, and the five senses gradually."

In the twelfth chapter and the fiftieth verse, Sir William Jones has mentioned the agreement of the system of theogony and cosmogony of Menu with that of Capila, the reputed founder of the Sánc'hya, or sceptical school of philosophy. The essay given by Mr. Colebrooke on this branch of Hindu metaphysicks, in the first volume of the Transactions of the Royal Asiatic Society, is a real favour to all who take an interest in so important a link between ancient and modern opinions. The notices on the same subject, to be found at the end of Dr. Taylor's translation of the *Prabód'ha-chandródaya*, were too scanty to do more than excite a wish that some one competently versed in the philosophical opinions of Europe and Asia would undertake the task. While that given by the late Mr. Ward in his account of the Hindus, is evidently too hastily prepared to give any, but a general impression of the very curious and interesting documents of ancient Hindu civilization and refined speculation. Neglected as these matters have heretofore been, it must prove highly satisfactory to every Sanscrit scholar that the philosophy of the Hindus has found so able an expositor as Mr. Colebrooke. It is to be hoped, that he will complete what he has so well begun, by affording the world the means of judging of the other schools in which are contained the philosophical speculations of a portion of the human race so anciently civilized as the Hindus; and whose literature is impressed with characteristick features, that are ample pledges of its antiquity and originality.

peculiar powers, and Mind with operations infinitely subtil, the unperishable cause of all apparent forms.

19. This *universe,* therefore, is compacted from the minute portions of those seven divine and active principles, *the great Soul, or first emanation, consciousness, and five perceptions; a* mutable *universe* from immutable *ideas.*

20. Among them each succeeding element acquires the quality of the preceding; and, in as many degrees as each of them is advanced, with so many properties is it said to be endued.

21. HE too first assigned to all creatures distinct names, distinct acts, and distinct occupations; as they had been revealed in the pre-existing *Véda.*

22. HE, the supreme Ruler, created an assemblage of inferior Deities, with divine attributes and pure souls; and a number of Genii exquisitely delicate; and he *prescribed* the sacrifice ordained from the beginning.

23. From fire, from air, and from the sun he milked out, *as it were,* the three primordial *Védas,* named *Rĭch, Yajush* and *Sáman,* for the due performance of the sacrifice.

24. HE gave being to time and the divisions of time, to the stars also, and to the planets, to rivers, oceans, and mountains, to level plains, and uneven valleys.

25. To devotion, speech, complacency, desire, and wrath, and to the creation, *which shall presently be mentioned;* for He willed the existence of all those created things.

26. For the sake of distinguishing actions, He made a total difference between right and wrong, and enured these sentient creatures to pleasure and pain, *cold and heat,* and other opposite pairs.

27. With very minute transformable portions, called *mátrás,* of the five elements, all this *perceptible world* was composed in fit order;

28. And in whatever occupation the supreme Lord first employed any vital soul, to that occupation the same soul attaches itself spontaneously, when it receives a new body again and again.

29. Whatever quality, noxious or innocent, harsh or mild, unjust or just, false or true, He conferred on any being at

its creation, the same quality enters it *of course on its future births ;*

30. As the *six* seasons of the year attain respectively their peculiar marks in due time and of their own accord, even so the several acts of each embodied spirit *attend it naturally.*

31. That the human race might be multiplied, He caused the *Bráhmen*, the *Cshatriya*, the *Vaisya*, and the *Súdra* (so named from the *scripture, protection, wealth*, and *labour*) to proceed from his mouth, his arm, his thigh, and his foot.

32. Having divided his own substance, the mighty Power became half male, half female, *or nature active and passive ;* and from that female he produced VIRA'J :

33. Know Me, O most excellent of *Bráhmens*, to be that person, whom the male *power* VIRA'J, having performed austere devotion, produced by himself; Me, the *secondary* framer of all this *visible world.*

34. It was I, who, desirous of giving birth to a race of men, performed very difficult religious duties, and first produced ten Lords of created beings, eminent in holiness.

35. MARI'CHI, ATRI, ANGIRAS, PULASTYA, PULAHA, CRATU, PRACHE'TAS, or DACSHA, VASISHT'HA, BHRIGU, and NA'RADA :

36. They, abundant in glory, produced seven other *Menus*, together with deities, and the mansions of deities, and *Maharshis*, or great Sages, unlimited in power ;

37. Benevolent genii, and fierce giants, blood-thirsty savages, heavenly quiristers, nymphs and demons, huge serpents and snakes of smaller size, birds of mighty wing, and separate companies of *Pitrĭs*, or progenitors of mankind ;

38. Lightnings and thunder-bolts, clouds and coloured bows of *Indra*, falling meteors, earth-rending vapours, comets, and luminaries of various degrees ;

39. Horse-faced sylvans, apes, fish, and a variety of birds, tame cattle, deer, men, and ravenous beasts with two rows of teeth ;

40. Small and large reptiles, moths, lice, fleas, and common flies, with every biting gnat, and immovable substances of distinct sorts.

41. Thus was this whole assemblage of stationary and movable bodies framed by those high-minded beings, through the force of their own devotion, and at my command, with separate actions allotted to each.

42. Whatever act is ordained for each of those creatures here below, *that* I will now declare to you, together with their order in respect to birth.

43. Cattle and deer, and wild beasts with two rows of teeth, giants, and blood-thirsty savages, and the race of men, are born from a secundine;

44. Birds are hatched from eggs, *so are* snakes, crocodiles, fish *without shells*, and tortoises, with other animal kinds, terrestrial, *as chamelions*, and aquatick, *as shell-fish:*

45. From hot moisture are born biting gnats, lice, fleas, and common flies; these, and whatever is of the same class, are produced by heat.

46. All vegetables, propagated by seed or by slips, grow from shoots: some herbs, abounding in flowers and fruits, perish when the fruit is mature;

47. Other plants, called lords of the forest, have no flowers, but produce fruit; and, whether they have flowers also, or fruit only, *large woody plants* of both sorts are named trees.

48. There are shrubs with many stalks from the root upwards, and reeds with single roots but united stems, all of different kinds, and grasses, and *vines or* climbers, and creepers, which spring from a seed or from a slip.

49. These *animals and vegetables*, encircled with multiform darkness, by reason of past actions, have internal conscience, and are sensible of pleasure and pain.

50. All transmigrations, recorded *in sacred books*, from the state of BRAHMA', to that of plants, happen continually in this tremendous world of beings; a world *always* tending to decay.

51. HE, whose powers are incomprehensible, having thus created both me and this universe, was again absorbed in the supreme Spirit, changing *the* time *of energy* for *the* time *of repose.*

52. When that Power awakes, (*for, though slumber be not*

predicable of the sole eternal Mind, infinitely wise and infinitely benevolent, yet it is predicated of BRAHMA', *figuratively, as a general property of life*) then has this world its full expansion; but, when he slumbers with a tranquil spirit, then the whole system fades away;

53. For, while he reposes, *as it were*, in calm sleep, embodied spirits, endued with principles of action, depart from their several acts, and the mind itself becomes inert;

54. And when they once are absorbed in that supreme essence, then the divine soul of all beings withdraws his energy, and placidly slumbers;

55. Then too this vital soul *of created bodies*, with all the organs of sense and of action, remains long immersed *in the first idea or* in darkness, and performs not its natural functions, but migrates from its corporeal frame:

56. When, being *again* composed of minute elementary principles, it enters at once into vegetable or animal seed, it then assumes a *new* form.

57. Thus that immutable Power, by waking and reposing alternately, revivifies and destroys in eternal succession, this whole assemblage of locomotive and immovable creatures.

58. HE, having enacted this code of laws, himself taught it fully to me in the beginning: afterwards I taught it MARI'CHI and the *nine* other holy sages.

59. This *my son* BHRIGU will repeat the divine code to you without omission; for that sage learned from me to recite the whole of it.

60. BHRIGU, great and wise, having thus been appointed by MENU to promulge his laws, addressed all the *Rĭshis* with an affectionate mind, saying: Hear!

61. FROM this MENU named SWA'YAMBHUVA, or *Sprung from the self-existing*, came six descendants, other MENUS, *or perfectly understanding the scripture*, each giving birth to a race of his own, all exalted in dignity, eminent in power;

62. SWA'RO'CHISHA, AUTTAMI, TA'MASA, RAIVATA likewise and CHA'CSHUSHA, beaming with glory, and VAIVASWATA, child of the sun.

63. The seven MENUS, (or *those first created, who are to*

be followed by seven more) of whom SWA'YAMBHUVA is the chief, have produced and supported this world of moving and stationary beings, each in his own *antara*, or *the period of his reign.*

64. Eighteen *niméshas*, or *twinklings of an eye*, are one *cásht'há;* thirty *cásht'hás*, one *calá;* thirty *calás*, one *muhúrta:* and just so many *muhúrtas* let mankind consider as the duration of their day and night.

65. The sun causes the distribution of day and night, both divine and human; night being *intended* for the repose of *various* beings, and day for their exertion.

66. A month *of mortals* is a day and a night of the *Pitrĭs* or *patriarchs inhabiting the moon;* and the division *of a month* being into equal halves, the half beginning from the full moon is their day for actions, and that beginning from the new moon is their night for slumber.

67. A year *of mortals* is a day and a night of the Gods, or *regents of the universe seated round the north pole;* and again their division is this, their day is the northern, and their night the southern course of the sun.

68. Learn now the duration of a day and a night of BRAHMA', and of the several ages which shall be mentioned in order succinctly.

69. Sages have given the name of *Crĭta* to an age containing four thousand years of the Gods; the twilight preceding it consists of as many hundreds, and the twilight following it, of the same number:

70. In the other three *ages*, with their twilights preceding and following, are thousands and hundreds diminished by one.

71. The divine years, in the four *human* ages just enumerated, being added together, their sum, *or* twelve thousand, is called the age of the Gods:

72. And, by reckoning a thousand such divine ages, a day of BRAHMA' may be known: his night also has an equal duration:

73. Those persons best know the divisions of the days and nights, who understand that the day of BRAHMA', which endures to the end of a thousand such ages, gives rise to

virtuous exertions; and that his night endures as long as his day.

74. At the close of his night, having long reposed, he awakes, and awaking, exerts intellect, *or reproduces the great principle of animation,* whose property it is to exist unperceived by sense:

75. Intellect, called into action by his will to create worlds, performs *again* the work of creation; and thence *first* emerges the subtil ether, to which philosophers ascribe the quality of conveying sound;

76. From ether, effecting a transmutation in form, springs the pure and potent air, a vehicle of all scents; and air is held endued with the quality of touch:

77. Then from air, operating a change, rises light *or fire,* making objects visible, dispelling gloom, spreading bright rays; and it is declared to have the quality of figure;

78. But from light, a change being effected, comes water with the quality of taste; and from water *is deposited* earth with the quality of smell: such were they created in the beginning.

79. The before-mentioned age of the Gods, or twelve thousand *of their* years, being multiplied by seventy-one, *constitutes what* is here named a *Menwantara, or the reign of a* Menu.

80. There are numberless *Menwantaras;* creations also and destructions of worlds, *innumerable:* the Being supremely exalted performs all this, *with as much ease* as if in sport; again and again, *for the sake of conferring happiness.*

81. In the *Crĭta* age *the Genius of* truth and right, *in the form of a Bull,* stands firm on his four feet; nor does any advantage accrue to men from iniquity;

82. But in the following ages, by reason of unjust gains, he is deprived successively of one foot; and even just emoluments, through the prevalence of theft, falsehood, and fraud, are *gradually* diminished by a fourth part.

83. Men, free from disease, attain all sorts of prosperity, and live four hundred years in the *Crĭta* age; but, in the *Trétà* and the succeeding ages, their life is lessened gradually by one quarter.

cestors, and on his descendants, as far as the seventh person; and He alone deserves to possess this whole earth.

106. This most excellent code produces every thing auspicious; this code increases understanding; this code procures fame and long life; this code leads to supreme bliss.

107. In this *book* appears the system of law in its full extent, with the good and bad properties of human actions, and the immemorial customs of the four classes.

108. Immemorial custom is transcendent law, approved in the sacred scripture, and in the codes of divine legislators: let every man, therefore, of the three principal classes, who has a due reverence for the *supreme* spirit *which dwells in him*, diligently and constantly observe immemorial custom:

109. A man of the priestly, military, or commercial class, who deviates from immemorial usage, tastes not the fruit of the *Véda;* but, by an exact observance of it, he gathers that fruit in perfection.

110. Thus have holy sages, well knowing that law is grounded on immemorial custom, embraced, as the root of all piety, good usages long established.

111. THE creation of this universe, the forms of institution and education, with the observances and behaviour of a student in theology; the best rules for the ceremony on his return from the mansion of his preceptor;

112. The law of marriage in general, and of nuptials in different forms; the regulations for the great sacraments, and the manner, primevally settled, of performing obsequies;

113. The modes of gaining subsistence, and the rules to be observed by the master of a family; the allowance and prohibition of diet, with the purification of men and utensils;

114. Laws concerning women, the devotion of hermits, and of anchorets wholly intent on final beatitude, the whole duty of a king, and the judicial decision of controversies,

115. With the law of evidence and examination; laws concerning husband and wife, canons of inheritance; the prohibition of gaming, and the punishments of criminals;

116. Rules ordained for the mercantile and servile classes, with the origin of those that are mixed; the duties and

rights of all the classes in time of distress for subsistence; and the penances for expiating sins;

117. The several transmigrations in this universe, caused by offences of three kinds, with the ultimate bliss attending good actions, on the full trial of vice and virtue;

118. All these titles of law, promulgated by MENU, and *occasionally* the customs of different countries, different tribes, and different families, with rules concerning hereticks and companies of traders, are discussed in this code.

119. Even as MENU, at my request, formerly revealed this divine *Sástra,* hear it now from me without any diminution or addition.

CHAPTER II.

ON EDUCATION; OR ON THE SACERDOTAL CLASS, AND THE FIRST ORDER.

1. KNOW that system of duties, which is revered by such as are learned in the *Védas*, and impressed, *as the means of attaining beatitude*, on the hearts of the just, who are ever exempt from hatred and inordinate affection.

2. Self-love is no laudable motive, yet an exemption from self-love is not *to be found* in this world: on self-love is grounded the study of scripture, and the practice of actions recommended in it.

3. Eager desire *to act* has its root in expectation of some advantage; and with such expectation are sacrifices performed; the rules of religious austerity and abstinence from sins are all known to arise from hope of remuneration.

4. Not a single act here below appears ever to be done by a man free from self-love; whatever he performs, it is wrought from his desire of a reward.

5. He, indeed, who should persist in *discharging* these duties without any view to their fruit, would attain *hereafter* the state of the immortals, and even in this life, would enjoy all the virtuous gratifications, that his fancy could suggest.

6. The roots of law are the whole *Véda*, the ordinances and moral practices of such as perfectly understand it, the immemorial customs of good men, and, *in cases quite indifferent*, self-satisfaction.

7. Whatever law has been ordained for any person by MENU, that law is fully declared in the *Véda*: for HE was perfect in divine knowledge:

8. A man of true learning, who has viewed this complete system with the eye of sacred wisdom, cannot fail to per-

form all those duties, which are ordained on the authority of the *Véda.*

9. No doubt, that man who shall follow the rules prescribed in the *Sruti* and in the *Smrĭti*, will acquire fame in this life, and, in the next, inexpressible happiness:

10. By *Sruti*, or *what was heard from above*, is meant the *Véda;* and by *Smrĭti*, or *what was remembered from the beginning*, the body of law: those two must not be oppugned by heterodox arguments; since from those two, proceeds the whole system of duties.

11. Whatever man of the three highest classes, having addicted himself to heretical books, shall treat with contempt those two roots of law, he must be driven, as an Atheist and a scorner of revelation, from the company of the virtuous.

12. The scripture, the codes of law, approved usage, and, *in all indifferent cases*, self-satisfaction, the wise have openly declared to be the quadruple description of the juridical system.

13. A knowledge of right is a sufficient incentive for men unattached to wealth or to sensuality; and to those who seek a knowledge of right, the supreme authority is divine revelation;

14. But, when there are two sacred texts, *apparently inconsistent*, both are held to be law; for both are pronounced by the wise to be valid and reconcilable;

15. Thus in the *Véda* are these texts: "let the sacrifice be when the sun has arisen," and, "before it has risen," and, "when neither sun nor stars can be seen:" the sacrifice, therefore, may be performed at any or all of those times.

16. He, whose life is regulated by holy texts, from his conception even to his funeral pile, has a decided right to study this code; but no other man whatsoever.

17. BETWEEN the two divine rivers *Saraswatí* and *Drĭshadwatí*, lies the tract of land, which the sages have named *Brahmáverta, because it was* frequented by Gods:

18. The custom preserved by immemorial tradition in that country, among the four *pure* classes, and among those which are mixed, is called approved usage.

19. *Curucshétra, Matsya, Panchála*, or *Cányacubja*, and

Súraséna, or *Mat'hurà*, form the region called *Brahmarshi*, distinguished from *Brahmáverta :*

20. From a *Bráhmen* who was born in that country, let all men on earth learn their several usages.

21. That country which lies between *Himawat* and *Vindhya*, to the east of *Vinasana*, and to the west of *Prayága*, is celebrated by the title of *Medhyadésa*, or *the central region.*

22. As far as the eastern, and as far as the western oceans, between the two mountains just mentioned, lies the tract which the wise have named *Aryáverta*, or *inhabited by respectable men.*

23. That land, on which the black antelope naturally grazes, is held fit for the performance of sacrifices; but the land of *Mléch'has* or *those who speak barbarously*, differs widely from it.

24. Let the three first classes invariably dwell in those before-mentioned countries; but a *Súdra*, distressed for subsistence, may sojourn wherever he chooses.

25. Thus has the origin of law been succinctly declared to you, together with the formation of this *universe :* * now learn the laws of the several classes.

* The word "universe," has, by an errour of the press, been printed in Italick instead of Roman letters, as it originally stood in Sir W. JONES's works. It may not be uninteresting to observe, that the word *sarva*, employed here to signify the universe, in its original and primary sense implies *all*, or *the whole*. Hence it is employed as an epithet of SIVA, as well as of VISHNU, by the worshippers of those Gods, agreeably to the Hindu doctrine, that contemplates the *universal whole* through any one of its multiform parts. In the account given in Enfield's History of Philosophy,[1] it will be seen that ZARVA was the chief of all the Gods among the Persians, and produced the good and evil principles, or HORMISDA and SATANA. I think, from the evident connexion between the religious systems of the Persians and the Hindus, the identity of the god ZARVA and the SARVA of India must be incontestible; and we are thus enabled to take a new and most accurate view of the real nature of the Magian religion. In it we find the same prevailing idea common in all the theogonies of the ancients, namely, the finite nature of their gods, and their subordinate rank, as the personifications or the powers of the *boundless whole*, that is, of *nature*. Moses Chorenensis speaks of the same mythological character under the name of ZEROVAN. Anquetil du Perron in his Zend Avesta,[2]

[1] Vol. I. p. 64. [2] Tom. II. 90. *n*. 2.

26. WITH auspicious acts prescribed by the *Véda,* must ceremonies on conception, and so forth, be duly performed, which purify the bodies of the three classes in this life, and *qualify them* for the next.

27. By oblations to fire during the mother's pregnancy, by holy rites on the birth of the child, by the tonsure of his head with a lock of hair left on it, by the ligation of the sacrificial cord, are the seminal and uterine taints of the three classes wholly removed:

28. By studying the *Véda,* by religious observances, by oblations to fire, by the ceremony of *Traividya,* by offering to the Gods and Manes, by the procreation of children, by the five great sacraments, and by solemn sacrifices, this human body is rendered fit for a divine state.

29. Before the section of the navel string a ceremony is ordained on the birth of a male: he must be made, while sacred texts are pronounced, to taste a little honey and clarified butter from a golden spoon.

30. Let the father *perform or, if absent,* cause to be performed, on the tenth or twelfth day *after the birth,* the ceremony of giving a name; or on some fortunate day of the moon, at a lucky hour, and under the influence of a star with good qualities.

31. The first part of a *Bráhmen's* compound name should indicate holiness; of a *Cshatriya's,* power; of a *Vaisya's,* wealth; and of a *Súdra's,* contempt.

32. Let the second part of the priest's name imply prosperity; of the soldier's, preservation; of the merchant's, nourishment; of the servant's, humble attendance.

33. The names of women should be agreeable, soft, clear, captivating the fancy, auspicious, ending in long vowels, resembling words of benediction.

34. In the fourth month the child should be carried out

likewise mentions ZERVAN, whom he considers as time personified; but the sense of the word *Sarva* or *Sarvam* enables us at once to find a clue to the real nature of "the chief of all the Gods." Good and evil were, under this point of view, the inevitable results or offspring of material existence; and the pantheism which saw *God in all,* by the language of personification, made *Sarva,* or *the whole,* the parent of the two principles, which were named HORMISDA and SATANA.

of the house *to see the sun:* in the sixth month, he should be fed with rice; or that *may be done,* which, by the custom of the family, is thought most propitious.

35. By the command of the *Véda,* the ceremony of tonsure should be legally performed by the three *first* classes in the first or third year *after birth.*

36. In the eighth year from the conception of a *Bráhmen,* in the eleventh from that of a *Cshatriya,* and in the twelfth from that of a *Vaisya,* let the father invest the child with the mark of his class:

37. Should a *Bráhmen,* or *his father for him,* be desirous of his advancement in sacred knowledge; a *Cshatriya,* of extending his power; or a *Vaisya* of engaging in mercantile business; the investiture may be made in the fifth, sixth, or eighth years respectively.

38. The ceremony of investiture hallowed by the *gáyatrì* must not be delayed, in the case of a priest, beyond the sixteenth year; nor in that of a soldier, beyond the twenty-second; nor in that of a merchant, beyond the twenty-fourth.

39. After that, *all youths* of these three classes, who have not been invested at the proper time, become *vrátyas,* or outcasts, degraded from the *gáyatrì,* and contemned by the virtuous:

40. With such impure men, let no *Bráhmen,* even in distress for subsistence, ever form a connexion in law, either by the study of the *Véda,* or by affinity.

41. Let students in theology wear *for their mantles,* the hides of black antelopes, of common deer, or of goats, with *lower vests of* woven *sana,** of *cshumà,* and of wool, in the direct order of their classes.

42. The girdle of a priest must be made of *munja,*† in a triple cord, smooth and soft; that of a warriour must be a

* *Sana* is both hemp (Cannabis sativa), and Bengal *san,* a plant from which a kind of hemp is prepared, *viz.* crotolaria juncea, and other kinds.

Cshuma, is the linum usitatissimum.

† *Munja* is a sort of grass (saccharum munja).

Múrvá is a sort of creeper, from the fibres of which bowstrings are made, (Sanseviera zeylanica).

bow string of *múrvá;* that of a merchant, a triple thread of *sana.*

43. If the *munja* be not procurable, their zones must be formed *respectively* of the grasses *cusa* * *asmántaca, valvaja,* in triple strings, with one, three, or five knots, *according to the family custom.*

44. The sacrificial thread of a *Bráhmen* must be made of cotton, so as to be put on over his head, in three strings; that of a *Cshatriya,* of *sana* thread only; that of a *Vaisya,* of woollen thread.

45. A priest ought by law to carry a staff of *Vilva*† or *Palása;* a soldier, of *Vata* or *C'hadira;* a merchant of *Vénu* or *Udumbara:*

46. The staff of a priest must be of such a length as to reach his hair; that of a soldier, to reach his forehead; and that of a merchant, to reach his nose.

47. Let all the staves be straight, without fracture, of a handsome appearance, not likely to terrify men, with their bark perfect, unhurt by fire.

48. Having taken a legal staff to his liking, and standing opposite to the sun, let the student thrice walk round the fire from left to right, and perform, according to law, the ceremony of asking food:

49. The most excellent of the three classes, being girt with the sacrificial thread, must ask food with the respectful word *bhavati,* at the beginning of the phrase; those of the second class, with that word in the middle; and those of the third, with that word at the end.

* *Cusa* is a species of grass used in many solemn and religious observances, hence called sacrificial grass (Poa cynosuroides).
The *Asmántaca* does not occur in the dictionaries.
The *Valvaja* is a sort of grass (saccharum cylindricum).

† The *Vilva* is a fruit-tree, commonly named *Bél* (Ægle marmelos).
The *Palása* is the Butea frondosa.
The *Vata* is the Ficus Indica.
C'hadira is a tree, the resin of which is used in medicine, *khayar* or catechu (Mimosa catechu).
The *Vénu* is the bamboo, but the text says the *Pilu,* which is either the Careya arborea or the Salvadora Persica. It likewise implies the stem of the palm-tree.
The *Udumbara* is the glomerous fig-tree (Ficus glomerata).

50. Let him first beg food of his mother, or of his sister, or of his mother's whole sister; then of some other female who will not disgrace him.

51. Having collected as much of the desired food as he has occasion for, and having presented it without guile to his preceptor, let him eat some of it, being duly purified, with his face to the east:

52. If he seek long life, he should eat with his face to the east; if exalted fame, to the south; if prosperity, to the west; if truth *and its reward*, to the north.

53. Let the student, having performed his ablution, always eat his food without distraction of mind; and, having eaten, let him *thrice* wash his mouth completely, sprinkling with water the *six* hollow parts of his head, *or his eyes, ears, and nostrils*.

54. Let him honour all his food, and eat it without contempt; when he sees it, let him rejoice and be calm, and pray that he may always obtain it.

55. Food, eaten constantly with respect, gives muscular force and generative power; but, eaten irreverently, destroys them both.

56. He must beware of giving any man what he leaves; and of eating anything between *morning and evening:* he must also beware of eating too much, and of going any whither with a remnant of his food unswallowed.

57. Excessive eating is prejudicial to health, to fame, and to *future bliss in* Heaven; it is injurious to virtue, and odious among men: he must, for these reasons, by all means avoid it.

58. Let a *Bráhmen* at all times perform the ablution with the pure part of his hand denominated from the *Véda*, or with the part sacred to the Lord of creatures, or with that dedicated to the Gods; but never with the part named from the *Pitrĭs:*

59. The pure part under the root of the thumb is called *Bráhma*, that at the root of the little finger, *Cáya;* that at the tips of the fingers, *Daiva;* and the part between the thumb and index *Pitrya*.

60. Let him first sip water thrice; then twice wipe his

mouth; and lastly touch with water the *six before mentioned* cavities, his breast, and his head.

61. He who knows the law and seeks purity will ever perform his ablution with the pure part of his hand, and with water neither hot nor frothy, standing in a lonely place, and turning to the east or the north.

62. A *Bráhmen* is purified by water that reaches his bosom; a *Cshatriya*, by water descending to his throat; a *Vaisya*, by water barely taken into his mouth; a *Súdra*, by water touched with the extremity *of his lips*.

63. A youth of the three highest classes is named *upavítí*, when his right hand is extended *for the cord to pass over his head and be fixed on his left shoulder;* when his left hand is extended, *that the thread may be placed on his right shoulder*, he is called *práchínávítí;* and *nivítí* when it is fastened on his neck.

64. His girdle, his leathern mantle, his staff, his sacrificial cord, and his ewer, he must throw into the water, when they are worn out or broken, and receive others hallowed by mystical texts.

65. The ceremony of *césánta*, or *cutting off the hair*, is ordained for a priest in the sixteenth year from conception; for a soldier, in the twenty-second; for a merchant, two years later than that.

66. The same ceremonies, *except that of the sacrificial thread*, must be duly performed for women at the same age and in the same order, that the body may be made perfect; but without any text from the *Véda:*

67. The nuptial ceremony is considered as the complete institution of women, ordained for them in the *Véda*, together with reverence to their husbands, dwelling first in their father's family, the business of the house, and attention to sacred fire.

68. Such is the revealed law of institution for the twice born; an institution in which their second birth clearly consists, and which causes their advancement in holiness: now learn to what duties they must afterwards apply themselves.

69. The venerable preceptor, having girt his pupil with the thread, must first instruct him in purification, in good

customs, in the management of the consecrated fire, and in the holy rites of morning, noon, and evening.

70. When the student is going to read the *Véda*, he must perform an ablution, as the law ordains, with his face to the north, and, having paid scriptural homage, he must receive instruction, wearing a clean vest, his members being duly composed :

71. At the beginning and end of the lecture, he must always clasp both the feet of his preceptor; and he must read with both his hands closed: (this is called scriptural homage.)

72. With crossed hands let him clasp the feet of his tutor, touching the left foot with his left, and the right, with his right hand.

73. When he is prepared for the lecture, the preceptor, constantly attentive, must say: "hoa! read;" and at the close of the lesson he must say: "take rest."

74. A *Bráhmen*, beginning and ending a lecture on the *Véda*, must always pronounce to himself the syllable *óm;* for, unless the syllable *óm* precede, his learning will slip away from him; and, unless it follow, nothing will be long retained.

75. If he have sitten on culms of *cúsa* with their points towards the east, and be purified by *rubbing* that holy grass on both his hands, and be further prepared by three suppressions of breath *each equal in time to five short vowels,* he then may fitly pronounce *óm.*

76. BRAHMA' milked out, *as it were,* from the three *Védas,* the letter A, the letter U, and the letter M, *which form by their coalition the triliteral monosyllable,* together with three mysterious words, *bhur, bhuvah, swer,* or *earth, sky, heaven :*

77. From the three *Védas,* also, the Lord of creatures, incomprehensibly exalted, successively milked out the three measures of that ineffable text, beginning with the word *tad,* and entitled *sávitrì* or *gáyatrì.*

78. A priest who shall know the *Véda,* and shall pronounce to himself, both morning and evening, that syllable, and that holy text preceded by the three words, shall attain the sanctity which the *Véda* confers;

79. And a twice born man, who shall a thousand times repeat those three (or *óm*, the *vyáhrĭtis*, and the *gáyatrì*,) apart *from the multitude*, shall be released in a month even from a great offence, as a snake from his slough.

80. The priest, the soldier, and the merchant, who shall neglect this mysterious text, and fail to perform in due season his peculiar acts of piety, shall meet with contempt among the virtuous.

81. The three great immutable words, preceded by the triliteral syllable, and *followed by* the *gáyatrì* which consists of three measures, must be considered as the mouth, or *principal part* of the *Véda:*

82. Whoever shall repeat, day by day, for three years, without negligence, that sacred text, shall *hereafter* approach the divine essence, move as freely as air, and assume an ethereal form.

83. The triliteral monosyllable is *an emblem of* the Supreme, the suppressions of breath *with a mind fixed on* God are the highest devotion; but nothing is more exalted than the *gáyatrì: a declaration of* truth is more excellent than silence.

84. All rights ordained in the *Véda*, oblations to fire, and solemn sacrifices pass away; but that which passes not away, is declared to be the syllable *óm*, thence called *acshara:* since it is a *symbol of* God, the Lord of created beings.

85. The act of repeating his Holy Name is ten times better than the appointed sacrifice; an hundred times better when it is heard by no man; and a thousand times better when it is purely mental:

86. The four domestick sacraments which are accompanied with the appointed sacrifice, are not equal, though all be united, to a sixteenth part of the sacrifice performed by a repetition of the *gáyatrì:*

87. By the sole repetition of the *gáyatrì*, a priest may indubitably attain beatitude, let him perform, or not perform, any other religious act; if he be *Maitra*,* or a *friend to all*

* The learned translator has, in conformity with the view of his commentator, varied in translating the sentence *maitra. bráhmena uchyaté*, which occurs again in Chap. XI. v. 35.

creatures, he is *justly* named *Bráhmena*, or *united to the Great One.*

88. In restraining the organs which run wild among ravishing sensualities, a wise man will apply diligent care, like a charioteer in managing restive horses.

89. Those eleven organs, to which the first sages gave names, I will comprehensively enumerate as the law considers them in due order.

90. The nose is the fifth after the ears, the skin, the eyes, and the tongue; and the organs of speech are reckoned the tenth, after those of excretion and generation, and the hands and feet:

91. Five of them, the ear and the rest in succession, learned men have called organs of sense; and the others, organs of action:

92. The heart must be considered as the eleventh; which, by its natural property, comprises both sense and action; and which being subdued, the two other sets, with five in each, are also controlled.

93. A man, by the attachment of his organs to sensual pleasure, incurs certain guilt; but, having wholly subdued them, he thence attains heavenly bliss.

94. Desire is never satisfied with the enjoyment of desired objects; as the fire is not appeased with clarified butter; it only blazes more vehemently.

95. Whatever man may obtain all those gratifications, or whatever man may resign them completely, the resignation of all pleasures is far better than the attainment of them.

96. The organs being strongly attached to sensual delights cannot so effectually be restrained by avoiding incentives to pleasure, as by a constant pursuit of divine knowledge.

97. To a man contaminated by sensuality neither the *Védas*, nor liberality, nor sacrifices, nor strict observances, nor pious austerities, ever procure felicity.

98. He must be considered as really triumphant over his organs, who, on hearing and touching, on seeing and tasting and smelling, *what may please or offend the senses*, neither greatly rejoices nor greatly repines:

99. But, when one among all his organs fails, by that single failure his knowledge of GOD passes away, as water flows through one hole in a leathern bottle.*

100. Having kept all his members *of sense and action* under control, and obtained also command over his heart, he will enjoy every advantage, even though he reduce not his body by religious austerities.

101. AT the morning twilight let him stand repeating the *gáyatrì* until he see the sun; and at evening twilight, let him repeat it sitting, until the stars distinctly appear;

102. He who stands repeating it at the morning twilight, removes *all unknown* nocturnal sin; and he who repeats it sitting at evening twilight, disperses the taint, that has *unknowingly* been contracted in the day;

103. But he who stands not repeating it in the morning, and sits not repeating it in the evening, must be precluded, like a *Súdra,* from every sacred observance of the twice born classes.

104. Near pure water, with his organs holden under control, *and* retiring from circumspection to some unfrequented place, let him pronounce the *gáyatrì*, performing daily ceremonies.

105. IN reading the *Védángas,* or *grammar, prosody, mathematicks, and so forth,* or even such parts of the *Véda* as ought constantly to be read, there is no prohibition on particular days; nor in pronouncing the texts appointed for oblations to fire:

106. Of that, which must constantly be read, and is therefore called *Brahmasatra,* there can be no such prohibition; and the oblation to fire, according to the *Véda,* produces good fruit, though accompanied with the text *vashat,* which *on other occasions* must be intermitted on certain days.

* "As water flows through one hole of a bottle." The original is more expressive, and alludes to the custom of carrying water in goat-skins in India. The skin is sewed together again, just as taken off the animal, and one of the feet is left open for the purpose of filling and emptying the skin, which is carried on a man's back; the foot for use being firmly grasped by the hand of the carrier, who thus distributes the water at his pleasure. Hence the passage would be more exactly rendered "as water from one foot of a skin."

107. For him, who shall persist a whole year in reading the *Véda*, his organs being kept in subjection, and his body pure, there will always rise good fruit from his *offerings of* milk and curds, *of* clarified butter and honey.

108. LET the twice born youth, who has been girt with the sacrificial cord, collect wood for the holy fire, beg food of his relations, sleep on a low bed, and perform such offices as may please his preceptor, until his return to the house of his natural father.

109. Ten persons may legally be instructed in the *Véda;* the son of a spiritual teacher; a boy who is assiduous; one who can impart other knowledge; one who is just; one who is pure: one who is friendly; one who is powerful; one who can bestow wealth; one who is honest; and one who is related by blood.

110. Let not a sensible teacher tell any *other* what he is not asked, nor what he is asked improperly; but let him, however intelligent, act in the multitude as if he were dumb:

111. Of the two persons, him, who illegally asks, and him, who illegally answers, one will die, or incur odium.

112. Where virtue, and wealth *sufficient to secure it,* are not found, or diligent attention, *at least* proportioned *to the holiness of the subject,* in that soil divine instruction must not be sown: it would perish like fine seed in barren land.

113. A teacher of the *Véda* should rather die with his learning, than sow it in sterile soil, even though he be in grievous distress for subsistence.*

114. Sacred Learning, having approached a *Bráhmen,* said to him: "I am thy precious gem; preserve me with care; deliver me not to a scorner; (so *preserved* I shall become supremely strong.)

115. But communicate me, as to a vigilant depository of thy gem, to that student, whom thou shalt know to be pure, to have subdued his passions, to perform the duties of his order."

* The expression "should rather die with his learning," would be more exactly rendered "should rather willingly die with his learning."

116. He who shall acquire *knowledge of* the *Véda* without the assent of his preceptor, incurs the guilt of stealing the scripture, and shall sink to the region of torment.

117. From whatever teacher a student has received instruction, either popular, ceremonial, or sacred, let him first salute his instructor, when they meet.

118. A *Bráhmen,* who completely governs his passions, though he know the *gáyatrì* only, is more honourable than he, who governs not his passions, who eats all *sorts of food,* and sells all *sorts of commodities,* even though he know the three *Védas.*

119. When a superiour sits on a couch or bench, let not an inferiour sit on it with him; and, if an inferiour be sitting on a couch, let him rise to salute a superiour.

120. The vital spirits of a young man mount upwards *to depart from him,* when an elder approaches; but by rising and salutation he recovers them.

121. A youth who habitually greets and constantly reveres the aged, obtains an increase of four things; life, knowledge, fame, strength.

122. After the word of salutation, a *Bráhmen* must address an elder; saying, "I am such an one," pronouncing his own name.

123. If any persons, *through ignorance of the* Sanscrit *language,* understand not the import of his name, to them should a learned man say, "It is I;" and in that manner he should address all *classes of* women.

124. In the salutation he should pronounce, after his own name, the vocative particle *bhós;* for the particle *bhós* is held by the wise to have the same property with names *fully expressed.*

125. A *Bráhmen* should thus be saluted in return: "May'st thou live long, excellent man!" and at the end of his name, the vowel and preceding consonant should be lengthened, *with an acute accent,* to three syllabick moments *or short vowels.*

126. That *Bráhmen,* who knows not the form of returning a salutation, must not be saluted by a man of learning: as a *Súdra,* even so is he.

127. Let a learned man ask a priest, when he meets him, if his devotion prospers; a warriour, if he is unhurt; a merchant, if his wealth is secure; and one of the servile class, if he enjoys good health; *using respectively the words,* cusalam, anámayam, cshémam, *and* árógyam.

128. He, who has just performed a solemn sacrifice and ablution, must not be addressed by his name, even though he be a younger man; but he, who knows the law, should accost him with the vocative particle, or with *bhavat, the pronoun of respect.*

129. To the wife of another, and to any woman not related by blood, he must say, "*bhavati,* and amiable sister."

130. To his uncles paternal and maternal, to his wife's father, to performers of the sacrifice, and to spiritual teachers; he must say, "I am such an one"—rising up to salute them, even though younger than himself.

131. The sister of his mother, the wife of his maternal uncle, his own wife's mother, and the sister of his father, must be saluted like the wife of his *father or* preceptor: they are equal to his *father's or his* preceptor's wife.

132. The wife of his brother, if she be of the same class, must be saluted every day; but his paternal and maternal kinswomen need only be greeted on his return from a journey.

133. With the sister of his father and of his mother, and with his own elder sister, let him demean himself as with his mother; though his mother be more venerable than they.

134. Fellow citizens are equal for ten years; dancers and singers, for five; learned theologians, for less than three; but persons related by blood, for a short time: *that is, a greater difference of age destroys their equality.*

135. The Student must consider a *Bráhmen,* though but ten years old, and a *Cshatriya,* though aged a hundred years, as father and son; as between those two, the young *Bráhmen* is *to be respected as* the father.

136. Wealth, kindred, age, moral conduct, and, fifthly, divine knowledge, entitle men to respect; but that which is last mentioned in order, is the most respectable.

137. Whatever man of the three *highest* classes possesses the most of those five, both in number and degree, that man is entitled to most respect; even a *Súdra*, if he have entered the tenth decad of his age.

138. Way must be made for a man in a wheeled carriage, or above ninety years old, or afflicted with disease, or carrying a burthen; for a woman; for a priest just returned from the mansion of his preceptor; for a prince, and for a bridegroom.

139. Among all those, if they be met at one time, the priest just returned home and the prince are most to be honoured; and of those two, the priest just returned, should be treated with more respect than the prince.

140. That priest who girds his pupil with the sacrificial cord, and afterwards instructs him in the whole *Véda*, with the law of sacrifice and the sacred *Upanishads*, holy sages call an *áchárya:*

141. But, he, who for his livelihood, gives instruction in a part only of the *Véda*, or in grammar, and in other *Védángas*, is called an *upádhyáya*, or sub-lecturer.

142. The father,* who performs the ceremonies on conception and the like, according to law, and who nourishes the child with his first rice, has the epithet of *guru*, or venerable.

143. He, who receives a stipend for preparing the holy fire, for conducting the *páca* and *agnishtóma*, and for performing other sacrifices, is called in this code the *rĭtwij* of his employer.

144. He, who truly and faithfully fills both ears with the *Véda*, must be considered as equal to a mother; he must be revered as a father; him the pupil must never grieve.

145. A *mere áchárya*, or *a teacher of the* gáyatrì *only*, surpasses ten *upádhyáyas;* a father, a hundred such *áchá-ryas*; and a mother, a thousand *natural* fathers.

146. Of him, who gives natural birth, and him, who gives knowledge of the whole *Véda*, the giver of sacred knowledge is the more venerable father; since the *second or* divine birth

* Instead of "father" the text reads "brahmen," but the comment favours Sir W. Jones's translation; yet v. 144 inclines to the latter interpretation.

ensures life to the twice born both in this world and hereafter eternally.

147. Let a man consider that as a mere human birth, which his parents gave him for their mutual gratification, and which he receives after lying in the womb;

148. But that birth which his *principal áchárya,* who knows the whole *Véda,* procures for him by *his divine mother* the *gáyatrì,* is a true birth: that birth is exempt from age and from death.

149. Him, who confers on a man the benefit of sacred learning, whether it be little or much, let him know to be here named *guru,* or *venerable father,* in consequence of that heavenly benefit.

150. A *Bráhmen,* who is the giver of spiritual birth, the teacher of prescribed duty, is by right *called* the father of an old man, though himself be a child.

151. CAVI, or *the learned,* child of ANGIRAS, taught his paternal uncles and cousins to read the *Véda,* and, excelling them in divine knowledge, said to them, "little sons:"

152. They, moved with resentment, asked the Gods the meaning of that *expression;* and the Gods, being assembled, answered them: "The child has addressed you properly;

153. For an unlearned man is in truth a child; and he who teaches him the *Véda,* is his father. Holy sages have always said child to an ignorant man, and father to a teacher of scripture."

154. Greatness is not conferred by years, not by gray hairs, not by wealth, not by powerful kindred: the divine sages have established this rule; "Whoever has read the *Védas* and their *Angas,* he among us is great."

155. The seniority of priests is from sacred learning; of warriours from valour; of merchants from abundance of grain; of the servile class only from priority of birth.

156. A man is not therefore aged, because his head is gray: him, surely, the Gods considered as aged, who, though young in years, has read *and understands* the *Véda.**

* The word *viduh,* which the translator has rendered in the past, is most commonly employed in a present sense, which is required in this verse. See Mr. Wilkins' grammar, page 174, Rule 196.

157. As an elephant made of wood, as an antelope made of leather, such is an unlearned *Bráhmen*: those three have nothing but names.

158. As an eunuch is unproductive with women, as a cow with a cow is unprolifick, as liberality to a fool is fruitless, so is a *Bráhmen* useless, if he read not the holy texts.

159. Good instruction must be given without pain to the instructed; and sweet gentle speech must be used by a preceptor, who cherishes virtue.

160. He, whose discourse and heart are pure, and ever perfectly guarded, attains all the fruit arising from his complete course of studying the *Véda.*

161. Let not a man be querulous even though in pain; let him not injure another in deed or in thought; let him not even utter a word, by which his fellow creature may suffer uneasiness; since that will obstruct his own progress to future beatitude.

162. A *Bráhmen* should constantly shun worldly honour, as he would shun poison; and rather constantly seek disrespect, as he would seek nectar;

163. For though scorned, he may sleep with pleasure; with pleasure may he awake; with pleasure may he pass through this life: but the scorner utterly perishes.

164. Let the twice-born youth, whose soul has been formed by this regular succession of prescribed acts, collect by degrees, while he dwells with his preceptor, the devout habits proceeding from the study of scripture.

165. With various modes of devotion, and with austerities ordained by law, must the whole *Véda* be read, and above all the sacred *Upanishads,* by him, who has received a new birth.

166. Let the best of the twice-born classes, intending to practise devotion, continually repeat the reading of scripture; since a repetition of reading the scripture is here styled the highest devotion of a *Bráhmen.*

167. Yes verily; that student in theology performs the highest act of devotion *with his whole body,* to the extremities of his nails, even though he *be so far sensual as to* wear a chaplet of sweet flowers, who to the utmost of his ability daily reads the *Véda.*

168. A twice-born man, who not having studied the *Véda*, applies diligent attention to a different *and worldly* study, soon falls, even when living, to the condition of a *Súdra;* and his descendants after him.

169. The first birth is from a natural mother; the second, from the ligation of the zone; the third from the due performance of the sacrifice; such are the births of him who is usually called twice-born, according to a text of the *Véda:*

170. Among them his divine birth is that, which is distinguished by the ligation of the zone, *and sacrificial cord;* and in that *birth* the *Gáyatrì* is his mother, and the *A'chárya,* his father.

171. Sages call the *A'chárya* father, from his giving instruction in the *Véda:* nor can any holy rite be performed by a young man, before his investiture.

172. *Till he be invested with the signs of his class,* he must not pronounce any sacred text, except what ought to be used in obsequies to an ancestor; since he is on a level with a *Súdra* before his new birth from the revealed scripture:

173. From him, who has been duly invested, are required both the performance of devout acts and the study of the *Véda* in order, preceded by stated ceremonies.

174. Whatever sort of leathern mantle, sacrificial thread, and zone, whatever staff, and whatever under apparel are ordained, *as before-mentioned,* for a youth of each class, the like must also be used in his religious acts.

175. These *following* rules must a *Brahmachárí,* or *student in theology,* observe, while he dwells with his preceptor; keeping all his members under control, for the sake of increasing his habitual devotion.

176. Day by day, having bathed and being purified, let him offer fresh water to the Gods, the Sages, and the Manes; let him show respect to the images of the deities, and bring wood for the oblation to fire.

177. Let him abstain from honey, from flesh meat, from perfumes, from chaplets of flowers, from sweet vegetable juices, from women, from all sweet substances turned acid, and from injury to animated beings;

178. From unguents for his limbs, and from black powder for his eyes, from wearing sandals, and carrying an umbrella, from sensual desires, from wrath, from covetousness, from dancing, and from vocal and instrumental musick;

179. From gaming, from disputes, from detraction, and from falsehood, from embracing or wantonly looking at women, and from disservice to other men.

180. Let him constantly sleep alone: let him never waste his own manhood; for he, who voluntarily wastes his manhood, violates the rule of his order, *and becomes an* avacírní:

181. A twice-born youth, who has involuntarily wasted his manly strength during sleep, must repeat with reverence, having bathed and paid homage to the sun, the text of scripture: "*Again let my strength return to me.*"

182. Let him carry water-pots, flowers, cow-dung, fresh earth, and *cusa*-grass, as much as may be useful to his preceptor; and let him perform every day the duty of a religious mendicant.

183. Each day must a *Bráhmen* student receive his food by begging, with due care, from the houses of persons renowned for discharging their duties, and not deficient in performing the sacrifices which the *Véda* ordains.

184. Let him not beg from the cousins of his preceptor; nor from his own cousins; nor from other kinsmen by the father's side, or by the mother's; but, if other houses be not accessible, let him begin with the last of those in order, avoiding the first;

185. Or, if none of those *houses* just mentioned can be found, let him go begging through the whole district round the village, keeping his organs in subjection, and remaining silent; but let him turn away from such as have committed any deadly sin.

186. Having brought logs of wood from a distance, let him place them in the open air; and with them let him make an oblation to fire without remissness, both evening and morning.

187. He, who for seven successive days omits the cere-

mony of begging food, and offers not wood to the sacred fire, must perform the penance of an *avacírní*, unless he be afflicted with illness.

188. Let the student persist constantly in such begging, but let him not eat the food of one person only: the subsistence of a student by begging is held equal to fasting *in religious merit.*

189. Yet, when he is asked in a solemn act in honour of the Gods or the Manes, he may eat at his pleasure the food of a single person; observing, however, the laws of abstinence and the austerity of an anchoret: thus the rule of his order is kept inviolate.

190. This duty of a mendicant is ordained by the wise for a *Bráhmen* only; but no such act is appointed for a warriour, or for a merchant.

191. Let the scholar, when commanded by his preceptor, and even when he has received no command, always exert himself in reading, and in all acts useful to his teacher.

192. Keeping in due subjection his body, his speech, his organs of sense, and his heart, let him stand with the palms of his hands joined, looking at the face of his preceptor.

193. Let him always keep his right arm uncovered, be always decently apparelled, and properly composed; and when his instructor says, "be seated," let him sit opposite to his venerable guide.

194. In the presence of his preceptor let him always eat less, and wear a coarser mantle with worse appendages; let him rise before, and go to rest after his tutor.

195. Let him not answer his teacher's orders, or converse with him, reclining on a bed; nor sitting, nor eating, nor standing, nor with an averted face:

196. But let him both *answer and converse,* if his preceptor sit, standing up; if he stand, advancing toward him; if he advance, meeting him; if he run, hastening after him;

197. If his face be averted, going round to front him, *from left to right;* if he be at a little distance, approaching him; if reclined, bending to him; and, if he stand ever so far off, running toward him.

198. When his teacher is nigh, let his couch or his bench

be always placed low: when his preceptor's eye can observe him, let him not sit carelessly at ease.

199. Let him never pronounce the mere name of his tutor, even in his absence; nor ever mimick his gait, his speech, or his manner.

200. In whatever place, either true but censorious, or false and defamatory, discourse is held concerning his teacher, let him there cover his ears or remove to another place.

201. By censuring his preceptor, though justly, he will be born an ass; by falsely defaming him, a dog; by using his goods without leave, a small worm; by envying his merit, a larger insect or reptile.

202. He must not serve his tutor by the intervention of another, while himself stands aloof; nor must he attend him in a passion, nor when a woman is near; from a carriage or raised seat he must descend to salute his heavenly director.

203. Let him not sit with his preceptor to the leeward, or to the windward of him; nor let him say any thing which the venerable man cannot hear.

204. He may sit with his teacher in a carriage drawn by bulls, horses, or camels; on a terrace, on a pavement of stones, or on a mat of *woven* grass; on a rock, on a wooden bench, or in a boat.

205. When his tutor's tutor is near, let him demean himself as if his own were present; nor let him, unless ordered by his spiritual father, prostrate himself *in his presence* before his natural father, or paternal uncle.

206. This is likewise ordained as his constant behaviour toward his other instructors in science; toward his elder paternal kinsmen; toward all who may restrain him from sin, and all who give him salutary advice.

207. Toward men also, who are truly virtuous, let him always behave as toward his preceptor; and, in like manner, toward the sons of his teacher, who are entitled to respect *as older men, and are not students;* and toward the paternal kinsmen of his venerable tutor.

208. The son of his preceptor, whether younger or of equal age, or a student, if he be capable of teaching the *Véda,*

deserves the same honour with the preceptor himself, *when he is present* at any sacrificial act:

209. But he must not perform for the son of his teacher, the duty of rubbing his limbs, or of bathing him, or of eating what he leaves, or of washing his feet.

210. The wives of his preceptor, if they be of the same class, must receive equal honour with their venerable husband; but if they be of a different class, they must be honoured only by rising and salutation.

211. For no wife of his teacher must he perform the offices of pouring scented oil on them, of attending them while they bathe, of rubbing their legs and arms, or of decking their hair;

212. Nor must a young wife of his preceptor be greeted even by the ceremony of touching her feet, if he have completed his twentieth year, or can distinguish virtue from vice.

213. It is the nature of women in this world to cause the seduction of men; for which reason the wise are never unguarded in the company of females:

214. A female, indeed, is able to draw from the right path in this life not a fool only, but even a sage, and can lead him in subjection to desire or to wrath.

215. Let no man, therefore, sit in a sequestered place with his nearest female relations: the assemblage of corporeal organs is powerful enough to snatch wisdom from the wise.

216. A young student may, as the law directs, make prostration at his pleasure on the ground before a young wife of his tutor, saying, "I am such an one;"

217. And on his return from a journey, he must once touch the feet of his preceptor's *aged* wife, and salute her each day by prostration, calling to mind the practice of virtuous men.

218. As he who digs deep with a spade comes to a spring of water, so the student, who humbly serves his teacher, attains the knowledge *which lies deep* in his teacher's mind.

219. WHETHER his head be shorn, or his hair long, or one lock be bound above in a knot, let not the sun ever set or rise while he lies asleep in the village.

220. If the sun should rise or set, while he sleeps through sensual indulgence, and knows it not, he must fast a whole day, repeating the *gáyatrì*:

221. He, who has been surprised asleep by the setting or by the rising sun, and performs not that penance, incurs great guilt.

222. Let him adore God both at sunrise and at sunset, as the law ordains, having made his ablution and keeping his organs controlled; and, with fixed attention, let him repeat the text, which he ought to repeat, in a place free from impurity.

223. If a woman or a *Súdra* perform any act leading to the chief temporal good, let the student be careful to emulate it; and he may do whatever gratifies his heart, unless it be forbidden by law:

224. The chief temporal good is by some declared to consist in virtue and wealth; by some, in wealth and lawful pleasure; by some, in virtue alone; by others, in wealth alone; but the chief good here below is an assemblage of all three: this is a sure decision.

225. A TEACHER of the *Véda* is the image of God; a natural father, the image of BRAHMA'; a mother, the image of the earth; an elder whole brother, the image of the soul.

226. Therefore a spiritual and a natural father, a mother, and an elder brother, are not to be treated with disrespect, especially by a *Bráhmen,* though the student be grievously provoked.

227. That pain and care which a mother and father undergo in producing and rearing children, cannot be compensated in an hundred years.

228. Let every man constantly do what may please his parents: and, on all occasions, what may please his preceptor: when those three are satisfied, his whole course of devotion is accomplished.

229. Due reverence to those three is considered as the highest devotion; and without their approbation he must perform no other duty.

230. Since they alone are held equal to the three worlds; they alone, to the three principal orders; they alone, to the three *Védas;* they alone, to the three fires:

231. The natural father is considered as the *gérhapatya*, or nuptial fire; the mother as the *dacshina*, or ceremonial; the spiritual guide as the *áhavaníya*, or sacrificial: this triad of fires is most venerable.

232. He, who neglects not those three, when he becomes a house-keeper, will ultimately obtain dominion over the three worlds; and his body being irradiated like a God, he will enjoy supreme bliss in heaven.

233. By honouring his mother he gains this *terrestrial* world; by honouring his father, the intermediate, or *etherial;* and, by assiduous attention to his preceptor, even the *celestial* world of BRAHMA':

234. All duties are completely performed by that man, by whom those three are completely honoured; but to him by whom they are dishonoured, all other acts of duty are fruitless.

235. As long as those three live, so long he must perform no other duty *for his own sake:* but delighting in what may conciliate their affections and gratify their wishes, he must from day to day assiduously wait on them:

236. Whatever duty he may perform in thought, word, or deed, with a view to the next world, without derogation from his respect to them; he must declare to them his entire performance of it.

237. By honouring those three, without more, a man effectually does whatever ought to be done: this is the highest duty, appearing before us like DHERMA himself, and every other act is an *upadherma*, or subordinate duty.

238. A believer in scripture may receive pure knowledge even from a *Súdra;* a lesson of the highest virtue, even from a *Chandála;* and a woman, bright as a gem, even from the basest family:

239. Even from poison may nectar be taken; even from a child, gentleness of speech; even from a foe, prudent conduct; and even from an impure substance, gold.

240. From every quarter, therefore, must be selected women bright as gems, knowledge, virtue, purity, gentle speech, and various liberal arts.

241. In case of necessity a student is required to learn the *Véda* from one who is not a *Bráhmen*, and, as long as that instruction continues, to honour his instructor with obsequious assiduity;

242. But a pupil who seeks the incomparable path to heaven, should not live to the end of his days in the dwelling of a preceptor who is no *Bráhmen*, or who has not read all the *Védas* with their *Angas*.

243. If he anxiously desire to pass his whole life in the house of a sacerdotal teacher, he must serve him with assiduous care, till he be released from his mortal frame:

244. That *Bráhmen*, who has dutifully attended his preceptor, till the dissolution of his body, passes directly to the eternal mansion of God.

245. Let not a student, who knows his duty, present any gift to his preceptor *before his return home;* but when, by his tutor's permission, he is going to perform the ceremony on his return, let him give the venerable man some valuable thing to the best of his power;

246. A field, or gold, a jewel, a cow, or a horse, an umbrella, a pair of sandals, a stool, corn, cloths, or even any *very excellent* vegetable: thus will he gain the affectionate remembrance of his instructor.

247. The student for life must, if his teacher die, attend on his virtuous son, or his widow, or on one of his paternal kinsmen, with the same respect which he showed to the living:

248. Should none of those be alive he must occupy the station of his preceptor, the seat, and the place of religious exercises; must continually pay attention to the fires, which he had consecrated; and must prepare his own soul for heaven.

249. The twice-born man, who shall thus without intermission have passed the time of his studentship, shall ascend, after death, to the most exalted of regions, and no more again spring to birth in this lower world.

CHAPTER III.

ON MARRIAGE ; OR, ON THE SECOND ORDER.

1. THE discipline of a student in the three *Védas* may be continued for thirty-six years, in the house of his preceptor; or for half that time, or for a quarter of it, or until he perfectly comprehend them:

2. A student, whose rules have not been violated, may assume the order of a married man, after he has read in succession a *sác'há*, or branch from each of the three, or from two, or from any one of them.

3. Being justly applauded for the strict performance of his duty, and having received from his *natural or spiritual* father the sacred gift of the *Véda*, let him sit on an elegant bed, decked with a garland of flowers, and let his father honour him, before his nuptials, with a present of a cow.

4. Let the twice-born man, having obtained the consent of his venerable guide, and having performed his ablution with stated ceremonies, on his return home, as the law directs, espouse a wife of the same class with himself and endued with the marks of excellence.

5. She, who is not descended from his *paternal or maternal* ancestors, within the sixth degree, and who is not *known by her family name to be* of the same primitive stock with his father *or mother*, is eligible by a twice-born man for nuptials and holy union:

6. In connecting himself with a wife, let him studiously avoid the ten following families, be they ever so great, or ever so rich in kine, goats, sheep, gold and grain:

7. The family which has omitted prescribed acts of religion; that which has produced no male children; that, in which the *Véda* has not been read; that, which has thick

hair on the body; and those, which have been subject to hemorrhoids, to phthisis, to dyspepsia, to epilepsy, to leprosy, and to elephantiasis.

8. Let him not marry a girl with reddish hair, nor with any deformed limb; nor one troubled with habitual sickness; nor one either with no hair or with too much; nor one immoderately talkative; nor one with inflamed eyes;

9. Nor one with the name of a constellation, or of a tree, or of a river, of a barbarous nation, or of a mountain, of a winged creature, a snake, or a slave; nor with any name raising an image of terrour.

10. Let him chuse for his wife a girl, whose form has no defect; who has an agreeable name; who walks *gracefully* like a phenicopteros, or like a young elephant; whose hair and teeth are moderate respectively in quantity and in size; whose body has exquisite softness.

11. Her, who has no brother, or whose father is not well known, let no sensible man espouse, through fear lest, *in the former case,* her father should take her first son as his own *to perform his obsequies;* or, *in the second case,* lest an illicit marriage should be contracted.

12. For the first marriage of the twice-born classes, a woman of the same class is recommended; but for such as are impelled by inclination to marry again, women in the direct order of the classes are to be preferred:

13. A *Súdrà* woman only must be the wife of a *Súdra;* she and a *Vaisyà*, of a *Vaisya;* they two and a *Cshatriyà*, of a *Cshatriya;* those two and a *Bráhmenì* of a *Bráhmen.*

14. A woman of the servile class is not mentioned, even in the recital of any ancient story, as the first wife of a *Bráhmen* or of a *Cshatriya*, though in the greatest difficulty to find a suitable match.

15. Men of the twice-born classes, who through weakness of intellect, irregularly marry women of the lowest class, very soon degrade their families and progeny to the state of *Súdras:*

16. According to ATRI and to (GO'TAMA) the son of UTAT'HYA, he who *thus* marries a woman of the servile class, *if he be a priest,* is degraded instantly; according to SAUNACA,

on the birth of a son, *if he be a warriour;* and, *if he be a merchant,* on the birth of a son's son, according to (me) BHRIGU.

17. A *Bráhmen,* if he take a *Súdrà* to his bed, *as his first wife,* sinks to the regions of torment; if he beget a child by her, he loses even his priestly rank:

18. His sacrifices to the Gods, his oblations to the Manes, and his hospitable attentions to strangers, must be supplied principally by her; but the Gods and Manes will not eat such offerings; nor can heaven be attained by such hospitality.

19. For the crime of him, who *thus illegally* drinks the moisture of a *Súdrà's* lips, who is tainted by her breath, and who even begets a child on her body, the law declares no expiation.

20. Now learn compendiously the eight forms of the nuptial ceremony, used by the four classes, some good and some bad in this world, and in the next:

21. The ceremony of BRAHMA', of the *Dévas,* of the *Rĭshis,* of the *Prajápatis,* of the *Asuras,* of the *Gandharvas,* and of the *Racshases;* the eighth and basest is that of the *Pisáchas.*

22. Which of them is permitted by law to each class and what are the good and bad properties of each ceremony, all this I will fully declare to you, together with the qualities, good and bad, of the offspring.

23. Let mankind know, that *the* six *first* in direct order are *by some held* valid in the case of a priest; the four last, in that of a warriour; and the same four, except the *Rácshasa* marriage, in the cases of a merchant and a man of the servile class:

24. Some consider the four first only as approved in the case of a priest; one, that of *Racshases,* as peculiar to a soldier; and that of *Asuras,* to a mercantile and a servile man.*

25. But in this code, three of *the* five *last* are held legal, and two illegal: the ceremonies of *Pisáchas* and *Asuras* must never be performed.

26. For a military man the before mentioned marriages of

* In the original we have *cavayó viduh,* "poets, *i.e.* legislators consider" and not "some consider."

Gandharvas and *Racshases*, whether separate or mixed, *as when a girl is made captive by her lover, after a victory over her kinsmen*, are permitted by law.

27. The gift of a daughter, clothed only with a single robe, to a man learned in the *Véda*, whom her father voluntarily invites, and respectfully receives, is the nuptial right called *Bráhma*.

28. The rite which sages call *Daiva*, is the gift of a daughter, whom her father has decked in gay attire, when the sacrifice is already begun, to the officiating priest, who performs that act of religion.

29. When the father gives his daughter away, after having received from the bridegroom one pair of kine, or two pairs, for uses prescribed by law, that marriage is termed *A'rsha*.

30. The nuptial rite called *Prájápatya*, is when the father gives away his daughter with due honour, saying distinctly, "May both of you perform together your civil and religious duties!"

31. When the bridegroom, having given as much wealth as he can afford to the father and paternal kinsman, and to the damsel herself, takes her voluntarily as his bride, that marriage is named *A'sura*.

32. The reciprocal connexion of a youth and a damsel, with mutual desire, is the marriage denominated *Gándharva*, contracted for the purpose of amorous embraces, and proceeding from sensual inclination.

33. The seizure of a maiden by force from her house, while she weeps and calls for assistance, after her kinsmen and friends have been slain in battle, or wounded, and their houses broken open, is the marriage styled *Rácshasa*.

34. When the lover secretly embraces the damsel, either sleeping or flushed with strong liquor, or disordered in her intellect, that sinful marriage,* called *Paisácha*, is the eighth and the basest.

35. The gift of daughters in marriage by the sacerdotal class, is most approved, when they *previously* have poured

* That "sinful marriage" should have been "that most sinful marriage."

water *into the hands of the bridegroom;* but the ceremonies of the other classes may be performed according to their several fancies.

36. Among these nuptial rites, what quality is ascribed by MENU to each, hear now ye *Bráhmens,* hear it all from me, who fully declare it!

37. The son of a *Bráhmì, or wife by the first ceremony,* redeems from sin, if he performs virtuous acts, ten ancestors, ten descendants, and himself the twenty-first person.

38. A son, born of a wife by the *Daiva* nuptials, redeems seven and seven in higher and lower degrees; of a wife by the *A'rsha,* three and three; of a wife by the *Prájápatya,* six and six.

39. By four marriages, the *Bráhma* and so forth, in direct order, are born sons illumined by the *Véda, learned men,* beloved by the learned,

40. Adorned with beauty, and with the quality of goodness, wealthy, famed, amply gratified with lawful enjoyments, performing all duties, and living a hundred years:

41. But in the other *four* base marriages, which remain, are produced sons acting cruelly, speaking falsely, abhorring the *Véda,* and the duties prescribed in it.

42. From the blameless nuptial rites of men spring a blameless progeny; from the reprehensible, a reprehensible offspring: let mankind, therefore, studiously avoid the culpable forms *of marriage.*

43. The ceremony of joining hands is appointed for those, who marry women of their own class; but, with women of a different class, the following nuptial ceremonies are to be observed:

44. By a *Cshatriyà* on her marriage with a *Bráhmen,* an arrow must be held in her hand; by a *Vaisyà* woman, with a bridegroom *of the sacerdotal or military class,* a whip; *and* by a *Súdrà* bride, *marrying a priest, a soldier, or a merchant,* must be held the skirt of a mantle.*

* The word *pratóda* rather implies a goad used to compel oxen, than a whip.

It may be remarked, that there seems to be some difficulty in reconciling the allusion in this verse of a *Súdrà* marrying a priest, when we

45. Let the husband approach his wife in due season, *that is, at the time fit for pregnancy;* let him be constantly satisfied with her alone; but, except on the forbidden days of the moon, he may approach her, being affectionately disposed, *even out of due season,* with a desire of conjugal intercourse.

46. Sixteen days and nights in each month, with four distinct days neglected by the virtuous, are called the natural season of women:

47. Of those sixteen, the four first, the eleventh, and the thirteenth, are reprehended: the ten remaining nights are approved.

48. Some say, that on the even nights are conceived sons; on the odd nights daughters; therefore let the man who wishes for a son, approach his wife in due season on the even nights;

49. But a boy is in truth produced by the greater quantity of the male strength; and a girl by a greater quantity of the female; by equality, an hermaphrodite, or a boy and a girl; by weakness or deficiency, is occasioned a failure of conception.

50. He, who avoids conjugal embraces on the six reprehended nights, and on eight others, is equal in chastity to a *Brahmachári*, in whichever of the *two next* orders he may live.

51. Let no father, who knows the law, receive a gratuity, however small, for giving his daughter in marriage; since the man, who, through avarice, takes a gratuity *for that purpose,* is a seller of his offspring.

52. Whatever male relations, through delusion of mind, take possession of a woman's property, be it only her carriages or her clothes, such offenders will sink to a region of torment.

53. Some say that the bull and cow *given* in the nuptial ceremony of the *Rĭshis,* are a bribe to the father; but this is

find the prohibition so strong in verses 13, 14, 15, and 16 of this chapter. The text clearly intends a marriage with a *Bráhmen* by the expression *utcrishté védé* "in the highest marriages."

untrue; a bribe *indeed*, whether large or small, is an actual sale of the *daughter*.

54. When money or goods are given to damsels, whose kinsmen receive them not for their own use, it is no sale: it is merely a token of courtesy and affection to the brides.

55. Married women must be honoured and adorned by their fathers and brethren, by their husbands, and by the brethren of their husbands, if they seek abundant prosperity:

56. Where females are honoured, there the deities are pleased; but where they are dishonoured, there all religious acts become fruitless.

57. Where female relations are made miserable, the family of him who makes them so, very soon wholly perishes; but, where they are not unhappy, the family always increases.

58. On whatever houses the women of a family, not being duly honoured, pronounce an imprecation, those houses, with all that belong to them, utterly perish, as if destroyed by a sacrifice for the death of an enemy.

59. Let those women, therefore, be continually supplied with ornaments, apparel and food, at festivals and at jubilees, by men desirous of wealth.

60. In whatever family the husband is contented with his wife, and the wife with her husband, in that house will fortune be assuredly permanent.

61. Certainly, if the wife be not elegantly attired, she will not exhilarate her husband; and if her lord want hilarity, offspring will not be produced.

62. A wife being gaily adorned, her whole house is embellished; but, if she be destitute of ornament, all will be deprived of decoration.

63. By culpable marriages, by omission of prescribed ceremonies, by neglect of reading the *Véda*, and by irreverence toward a *Bráhmen*, great families are sunk to a low state:

64. So they are by practising manual arts, by *lending at interest and other* pecuniary transactions, by begetting children on *Súdràs* only, by traffick in kine, horses, and carriages, by agriculture and by attendance on a king.

65. By sacrificing for such as have no right to sacrifice, and by denying a future compensation for good works, great families, being deprived of sacred knowledge, are quickly destroyed;

66. But families, enriched by a knowledge of the *Véda*, though possessing little temporal wealth, are numbered among the great, and acquire exalted fame.

67. Let the house-keeper perform domestick religious rites, with the nuptial fire, according to law, and the ceremonies of the five great sacraments, and the several acts which must day by day be performed.

68. A house-keeper has five places of slaughter, *or where small living creatures may be slain;* his kitchen-hearth, his grindstone, his broom, his pestle and mortar, his water-pot; by using which, he becomes in bondage to sin:

69. For the sake of expiating *offences committed ignorantly* in those places *mentioned* in order, the five great sacraments were appointed by eminent sages to be performed each day by such as keep house.

70. Teaching and studying the scripture is the sacrament of the *Véda;* offering cakes and water, the sacrament of the Manes; an oblation to fire, the sacrament of the Deities; giving rice or other food to living creatures, the sacrament of spirits; receiving guests with honour, the sacrament of men:

71. Whoever omits not those five great ceremonies, if he have ability *to perform them,* is untainted by the sins of the *five* slaughtering-places, even though he constantly reside at home;

72. But whoever cherishes not five orders of beings, *namely,* the deities; those, who demand hospitality; those, whom he ought by law to maintain; his departed forefathers; and himself; that man lives not even though he breathe.

73. Some call the five sacraments *ahuta* and *huta, prahuta, bráhmya-huta* and *prásita:*

74. *Ahuta,* or unoffered, is divine study; *huta,* or offered, is the oblation to fire; *prahuta,* or well offered, is the food given to spirits; *bráhmya-huta,* is respect shewn to twice-born guests; and *prásita,* or well eaten, is the offering of rice or water to the manes of ancestors.

75. Let every man in this second order employ himself daily in reading the scripture, and in performing the sacrament of the Gods; for, being employed in the sacrament of deities, he supports this whole animal and vegetable world;

76. Since his oblation of clarified butter, duly cast into the flame, ascends *in smoke* to the sun; from the sun *it* falls *in* rain; from rain comes vegetable food; and from *such* food animals *derive their subsistence.**

77. As all creatures subsist by receiving support from air, thus all orders of men exist by receiving support from house-keepers;

78. And since men of the three other orders are each day nourished by them with divine learning and with food, a house-keeper is for this reason of the most eminent order:

79. That order, therefore, must be constantly sustained with great care by the man who seeks unperishable bliss in heaven, and in this world pleasurable sensations; an order which cannot be sustained by men with uncontrolled organs.

80. The divine sages, the manes, the gods, the spirits, and guests, pray for benefits to masters of families; let these honours, therefore, be done to them by the house-keeper who knows his duty:

81. Let him honour the Sages by studying the *Véda:* the Gods, by oblations to fire ordained by law; the Manes, by pious obsequies; men by supplying them with food; and spirits, by gifts to all animated creatures.

82. Each day let him perform a *sráddha* with boiled rice and the like, or with water, or with milk, roots, and fruit; for thus he obtains favour from departed progenitors.

83. He may entertain one *Bráhmen* in that sacrament among the five, which is performed for the *Pitṛis;* but, at the oblation to all the Gods, let him not invite even a single priest.

84. In his domestick fire for dressing the food of all the

* I have been particular in marking the words of this verse in Italick letters, as the translation is very paraphrastical. Indeed the original verse, which will be found exactly in the Roman letters, conveys in the latter part the exact germ of the doctrine which has been so ably handled of late by an eminent writer, namely, the dependence of population upon sustenance.

Gods, after the prescribed ceremony, let a *Bráhmen* make an oblation each day to these *following* divinities;

85. First to AGNI, god of fire, and to the lunar god, severally; then, to both of them at once; next to the assembled gods; and afterwards, to DHANWANTARI, god of medicine;

86. To CUHU', goddess of the day, when the new moon is discernible; to ANUMATI, goddess of the day, after the opposition; to PRAJA'PATI, or the Lord of Creatures; to DYA'VA' and PRITHIVI', goddesses of sky and earth; and lastly, to the fire of the good sacrifice.

87. Having thus, with fixed attention, offered clarified butter in all quarters, proceeding *from the east* in a southern direction, to INDRA, YAMA, VARUNA, and the god SO'MA, let him offer his gift to animated creatures:

88. *Saying,* "I salute the *Maruts,*" or *Winds,* let him throw dressed rice near the door; *saying,* "I salute the water-gods," in water; and on his pestle and mortar, *saying,* "I salute the gods of large trees."

89. Let him do the like *in the north-east, or* near his pillow, to SRI', the goddess of abundance; *in the south-west, or* at the foot *of his bed,* to the propitious goddess BHADRACA'LI'; in the centre of his mansion, to BRAHMA' and his household god;

90. To all the Gods assembled, let him throw up his oblation in the open air; by day, to the spirits who walk in light; and by night, to those who walk in darkness:

91. In the building on his house-top, *or behind his back,* let him cast his oblation for the welfare of all creatures; and what remains let him give to the *Pitrĭs* with his face toward the south:

92. The share of dogs, of outcasts, of dog-feeders, of sinful men, punished with elephantiasis or consumption, of crows, and of reptiles, let him drop on the ground by little and little.

93. A *Bráhmen,* who thus each day shall honour all beings, will go to the highest region in a straight path, in an irradiated form.

94. When he has performed his duty of making oblations,

let him cause his guest to take food before himself; and let him give a portion of rice, as the law ordains, to the mendicant who studies the *Véda:*

95. Whatever fruit shall be obtained by that student, as the reward of his virtue, when he shall have given a cow to his preceptor, according to law, the like reward to virtue shall be obtained by the twice-born house-keeper, when he has given a mouthful of rice *to the religious mendicant.*

96. To a *Bráhmen* who knows the true principle of the *Véda,* let him present a portion of rice, or a pot of water, garnished with fruit and flowers, due ceremonies having preceded:

97. Shares of oblations to the Gods, or to the Manes, utterly perish, when presented, through delusion of mind, by men regardless of duty, to such ignorant *Bráhmens* as are mere ashes;

98. But an offering in the fire of a sacerdotal mouth, which richly blazes with true knowledge and piety, will release the giver from distress, and even from deadly sin.

99. To the guest who comes of his own accord, let him offer a seat and water, with such food as he is able to prepare, after the due rites of courtesy.

100. A *Bráhmen* coming as a guest, and not received with just honour, takes to himself all the reward of the house-keeper's former virtue, even though he had been so temperate as to live on the gleanings of harvests, and so pious as to make oblations in five distinct fires.

101. Grass and earth to sit on, water to wash the feet, and, fourthly, affectionate speech are at no time deficient in the mansions of the good, *although they may be indigent.*

102. A *Bráhmen,* staying but one night as a guest, is called an *atit'hi;* since continuing so short a time, he is not even a sojourner for a whole *tit'hi,* or *day of the moon.*

103. The house-keeper must not consider as an *atit'hi* a mere visitor of the same town, or a *Bráhmen,* who attends him on business, even though he come to the house where his wife dwells, and where his fires are kindled.

104. Should any house-keepers be so senseless, as to seek, on pretence of being guests, the food of others, they would

fall after death, by reason of that baseness, to the condition of cattle belonging to the giver of such food.

105. No guest must be dismissed in the evening by a house-keeper; he is sent by the retiring sun; and, whether he come in fit season or unseasonably, he must not sojourn in the house without entertainment.

106. Let not himself eat any delicate food, without asking his guest to partake of it: the satisfaction of a guest will assuredly bring the house-keeper wealth, reputation, long life, and a place in heaven.

107. To the highest guests in the best form, to the lowest in the worst, to the equal, equally, let him offer seats, resting places, couches; giving them proportionable attendance when they depart; and honour, as long as they stay.

108. Should another guest arrive, when the oblation to all the Gods is concluded, for him also let the house-keeper prepare food, according to his ability; but let him not repeat his offerings to animated beings.

109. Let no *Bráhmen* guest proclaim his family and ancestry for the sake of an entertainment; since he, who thus proclaims them, is called by the wise a *vántasí*, or foul-feeding demon.

110. A military man is not denominated a guest in the house of a *Bráhmen;* nor a man of the commercial or servile class; nor his familiar friend; nor his paternal kinsman; nor his preceptor:

111. But if a warriour come to his house in the form of a guest, let food be prepared for him, according to his desire, after the before-mentioned *Bráhmens* have eaten.

112. Even to a merchant or a labourer, approaching his house in the manner of guests, let him give food, showing marks of benevolence at the same time with his domesticks:

113. To others, as familiar friends, and the rest before-named, who come with affection to his place of abode, let him serve a repast at the same time with his wife *and himself*, having provided it according to his best means.

114. To a bride, and to a damsel, to the sick, and to pregnant women, let him give food, even before his guests, without hesitation.

115. The idiot, who first eats his own mess, without having presented food to the persons just enumerated, knows not, while he crams, that he will himself be food after death for bandogs and vultures.

116. After the repast of the *Bráhmen* guest, of his kinsmen, and his domesticks, the married couple may eat what remains untouched.

117. The house-keeper, having honoured spirits, holy sages, men, progenitors, and household gods, may feed on what remains after those oblations.

118. He, who eats what has been dressed for himself only, eats nothing but sin: a repast on what remains after the sacrament is called the banquet of the good.

119. After a year from the reception of a visitor, let the house-keeper again honour a king, a sacrificer, a student returned from his preceptor, a son-in-law, a father-in-law, and a maternal uncle, with a *madhuperca, or present of honey, curds, and fruit.*

120. A king or a *Bráhmen* arriving at the celebration of the sacrament, are to be honoured with a *madhuperca;* but not, if the sacrament be over: this is a settled rule.

121. In the evening let the wife make an offering of the dressed food, but without pronouncing any text of the *Véda:* one oblation to the assembled gods, thence named *Vaiswadéva,* is ordained both for evening and morning.

122. FROM month to month, on the dark day of the moon, let a twice-born man, having finished the daily sacrament of the *Pitrĭs,* and his fire being still blazing, perform the solemn *sráddha,* called *pindánwáhárya:*

123. Sages have distinguished the monthly *sráddha** by the title of *anwáhárya,* or *after eaten,* that is, eaten after the *pinda,* or ball of rice; and it must be performed with extreme care, and with flesh-meat in the best condition.

124. What *Bráhmens* must be entertained at that ceremony, and who must be excepted, how many are to be fed, and with what sorts of food, on all those articles, without omission, I will fully discourse.

* The words "of the *Pitris,*" should follow "the monthly *sráddha.*"

125. At the *sráddha* of the gods he may entertain two *Bráhmens;* at that of his father, paternal grandfather, and paternal great-grandfather three; or one only at that of the gods, and one at that for his three paternal ancestors: though he abound in wealth, let him not be solicitous to entertain a large company.

126. A large company destroys these five advantages; reverence to priests, propriety of time and place, purity, and the acquisition of virtuous *Bráhmens:* let him not therefore, endeavour to feed a superfluous number.

127. This act of due honour to departed souls, on the dark day of the moon, is famed by the appellation of *pitrya,* or ancestral: the legal ceremony, in honour of departed spirits, rewards with continual fruit, a man engaged in such obsequies.

128. Oblations to the gods and to ancestors should be given to a most reverend *Bráhmen,* perfectly conversant with the *Véda;* since what is given to him produces the greatest reward.

129. By entertaining one learned man at the oblation to the gods and at that to ancestors, he gains more exalted fruit than by feeding a multitude, who know not the holy texts.

130. Let him inquire into the ancestry, even in a remote degree, of a *Bráhmen,* who has advanced to the end of the *Véda:* such a man, if sprung from good men, is a fit partaker of oblations to gods and to ancestors; such a man may justly be called an *atit'hi,* or guest.

131. Surely, though a million of men, unlearned in holy texts, were to receive food, yet a single man, learned in scripture, and fully satisfied with his entertainment, would be of more value than all of them together.

132. Food, consecrated to the gods and the manes, must be presented to a theologian of eminent learning; for certainly, when hands are smeared with blood, they cannot be cleaned with blood only, *nor can sin be removed by the company of sinners.*

133. As many mouthfuls as an unlearned man shall swallow at an oblation to the gods and to ancestors, so many

redhot iron balls must the giver of the *sráddha* swallow in the next world.*

134. Some *Bráhmens* are intent on scriptural knowledge; others, on austere devotion; some are intent both on religious austerity and on the study of the *Véda;* others on the performance of sacred rites:

135. Oblations to the manes of ancestors ought to be placed with care before such as are intent on sacred learning: but offerings to the gods may be presented, with due ceremonies, to *Bráhmens* of all the four descriptions.

136. There may be a *Bráhmen,* whose father had not studied the scripture, though the son has advanced to the end of the *Véda;* or there may be one, whose son has not read the *Véda,* though the father had travelled to the end of it:

137. Of those two let mankind consider him as the superiour, whose father had studied the scripture, yet for the sake of performing rites with holy texts, the other is worthy of honour.

138. Let no man, at the prescribed obsequies, give food to an intimate friend; since advantage to a friend must be procured by gifts of different property: to that *Bráhmen* let the performer of a *sráddha* give food, whom he considers neither as a friend nor as a foe.

139. For him, whose obsequies and offerings of clarified butter are provided chiefly through friendship, no fruit is reserved in the next life, on account either of his obsequies or of his offerings.

140. The man, who, through delusion of intellect, forms temporal connexions by obsequies, is excluded from heavenly mansions, as a giver of the *sráddha* for the sake of friendship, and the meanest of twice-born men:

141. Such a convivial present, by men of the three highest classes, is called the gift of *Pisáchas,* and remains fixed here below, like a blind cow in one stall.

142. As a husbandman, having sown seed in a barren

* "Spears" should be included with "iron balls" as among the number of things to be swallowed in the next world, by the giver of the *sráddha.*

soil, reaps no grain, thus a performer of holy rites, having given clarified butter to an unlearned *Bráhmen*, attains no reward in heaven;

143. But a present made, as the law ordains, to a learned theologian, renders both the giver and the receiver partakers of good fruits in this world and in the next.

144. If no learned *Bráhmen* be at hand, he may at his pleasure invite a friend to the *sráddha*, but not a foe, be he ever so learned; since the oblation, being eaten by a foe, loses all fruit in the life to come.

145. With great care let him give food at the *sráddha* to a priest, who has gone through the scripture, but has chiefly studied the *Rĭgvéda;* to one, who has read all the branches, but principally those of the *Yajush;* or to one who has finished the whole, with particular attention to the *Sáman:*

146. Of that man whose oblation has been eaten, after due honours, by any one of those three *Bráhmens*, the ancestors are constantly satisfied as high as the seventh person, *or to the sixth degree.*

147. This is the chief rule in offering the *sráddha* to the gods and to ancestors; but the following may be considered as a subsidiary rule, *where no such learned priests can be found*, and is ever observed by good men:

148. Let him entertain his maternal grandfather, his maternal uncle, the son of his sister, the father of his wife, his spiritual guide, the son of his daughter, or her husband, his maternal cousin, his officiating priest, or the performer of his sacrifice.

149. For an oblation to the gods, let not the man who knows what is law, scrupulously inquire into the parentage of a *Bráhmen;* but for a prepared oblation to ancestors let him examine it with strict care.

150. Those *Bráhmens*, who have committed any *inferiour* theft *or any of the higher crimes*, who are deprived of virility, or who profess a disbelief in a future state, MENU has pronounced unworthy of honour at a *sráddha* to the gods or to ancestors.

151. To a student in theology, who has not read the *Véda*, to a man *punished for past crimes by being* born

without a prepuce, to a gamester, and to such as perform many sacrifices for other men, let him never give food at the sacred obsequies.

152. Physicians, image-worshippers for gain, sellers of meat, and such as live by low traffick, must be shunned in oblations both to the deities and to progenitors.

153. A public servant of the whole town, or of the prince, a man with whitlows on his nails, or with black-yellow teeth, an opposer of his preceptor, a deserter of the sacred fire, and an usurer,

154. A phthisical man, a feeder of cattle, one omitting the five great sacraments, a contemner of *Bráhmens*, a younger brother married before the elder, an elder brother not married before the younger, and a man who subsists by the wealth of many relations,

155. A dancer, one who has violated the rule of chastity in the first or fourth order, the husband of a *Súdrà*, the son of a twice-married woman, a man who has lost one eye, and a husband in whose house an adulterer dwells,

156. One who teaches the *Véda* for wages, and one who gives wages to such a teacher, the pupil of a *Súdra*, and the *Súdra* preceptor, a rude speaker, and the son of an adulteress, born either before or after the death of the husband,

157. A forsaker, without just cause, of his mother, father or preceptor, and a man who forms a connexion, either by scriptural or connubial affinity, with great sinners,

158. A house-burner, a giver of poison, an eater of food offered by the son of an adulteress, a seller of the moon-plant (*a species of mountain-rue**), a navigator of the ocean, a poetical encomiast, an oilman, and a suborner of perjury,

159. A wrangler with his father, an employer of gamesters for his own benefit, a drinker of intoxicating spirits, a man punished for sin with elephantiasis, one of evil repute, a cheat, and a seller of liquids,

160. A maker of bows and arrows, the husband of a younger sister married before the elder *of the whole blood*,

* It is not the mountain-rue, but the swallow-wort (the Asclepias acida).

an injurer of his friend, the keeper of a gaming-house, and a father instructed in the *Véda* by his own son,

161. An epileptick person, one who has the erysipelas or the leprosy, a common informer, a lunatick, a blind man, and a despiser of scripture, must all be shunned.

162. A tamer of elephants, bulls, horses, or camels, a man who subsists by astrology, a keeper of birds, and one who teaches the use of arms,

163. He, who diverts watercourses, and he, who is gratified by obstructing them, he, who builds houses for gain, a messenger, and a planter of trees *for pay*,

164. A breeder of sporting-dogs, a falconer, a seducer of damsels, a man delighting in mischief, a *Bráhmen* living as a *Súdra*, a sacrificer to the inferiour gods only,

165. He, who observes not approved customs, and he, who regards not prescribed duties, a constant importunate asker of favours, he, who supports himself by tillage, a clubfooted man, and one despised by the virtuous,

166. A shepherd, a keeper of buffalos, the husband of a twice-married woman, and the remover of dead bodies *for pay*, are to be avoided with great care.

167. Those lowest of *Bráhmens*, whose manners are contemptible, who are not admissible into company at a repast, an exalted and learned priest must avoid at both *sráddhas*.

168. A *Bráhmen* unlearned in holy writ, is extinguished in an instant like a fire of dry grass: to him the oblation must not be given; for the clarified butter must not be poured on ashes.

169. What retribution is prepared in the next life for the giver of food to men inadmissible into company, at the *sráddha* to the gods and to ancestors, I will now declare without omission.

170. On that food, which has been given to *Bráhmens* who have violated the rules of their order, to the younger brother married before the elder, and to the rest who are not admissible into company, the *Racshases* eagerly feast.

171. He, who makes a marriage-contract with the connubial fire, while his elder brother continues unmarried, is called a *perivéttrĭ;* and the elder brother a *perivitti:*

172. The *perivéttrĭ*, the *perivitti*, the damsel thus wedded, the giver of her in wedlock, and, fifthly, the performer of the nuptial sacrifice, all sink to a region of torment.

173. He, who lasciviously dallies with the widow of his deceased brother, though she be legally married to him, is denominated the husband of a *didhishú*.

174. Two sons, named a *cunda* and a *gólaca*, are born in adultery; the *cunda*, while the husband is alive, and the *gólaca*, when the husband is dead:

175. Those animals begotten by adulterers, destroy, both in this world and in the next, the food presented to them by such as make oblations to the gods or to the manes.

176. The foolish giver of a *sráddha* loses, in a future life, the fruit of as many admissible guests, as a *thief or the like* person, inadmissible into company, might be able to see.

177. A blind man placed where one with eyes might have seen, destroys the reward of ninety; he, who has lost one eye, of sixty; a leper, of an hundred; one punished with elephantiasis, of a thousand.

178. Of the gift at a *sráddha*, to as many *Bráhmens*, as a sacrificer for a *Súdra* might be able to touch on the body, the fruit is lost to the giver, *if he invite such a wretch;*

179. And if a *Bráhmen* who knows the *Véda*, receive through covetousness a present from such a sacrificer, he speedily sinks to perdition, like a figure of unburnt clay in water.

180. Food given to a seller of the moon-plant, becomes ordure in another world; to a physician purulent blood; *and the giver will be a reptile bred in them;* if offered to an image-worshipper, it is thrown away; if to an usurer, infamous.

181. That which is given to a trader, endures neither in this life nor in the next, and that bestowed on a *Bráhmen*, who has married a widow, resembles clarified butter poured on ashes as an oblation to fire.

182. That food, which is given to other base, inadmissible men, before mentioned, the wise have pronounced to be no more than animal oil, blood, flesh, skin, and bones.

183. Now learn comprehensively, by what *Bráhmens* a company may be purified, when it has been defiled by inadmissible persons; *Bráhmens,* the chief of their class, the purifiers of every assembly.

184. Those priests must be considered as the purifiers of a company who are most learned in all the *Védas* and in all their *Angas,* together with their descendants who have read the whole scripture:

185. A priest learned in a principal part of the *Yajurveda;* one who keeps the five fires constantly burning; one skilled in a principal part of the *Rĭgvéda;* one who explains the six *Védángas;* the son of a *Bráhmì,* or woman married by the *Bráhma* ceremony; and one who chants the principal *Sáman;*

186. One who propounds the sense of the *Védas,* which he learnt from his preceptor, a student who has given a thousand *cows for pious uses,* and a *Bráhmen* a hundred years old, must all be considered as the purifiers of a party at a *sráddha.*

187. On the day before the sacred obsequies, or on the very day when they are prepared, let the performer of them invite, with due honour, such *Bráhmens* as have been mentioned; *usually* one superiour, who has three inferiour to him.

188. The *Bráhmen,* who has been invited to a *sráddha* for departed ancestors, must be continually abstemious; he must not even read the *Védas;* and he, who performs the ceremony, must act in the same manner.

189. Departed ancestors, no doubt, are attendant on such invited *Bráhmens;* hovering around them like pure spirits, and sitting by them, when they are seated.

190. The priest, who having been duly invited to a *sráddha,* breaks the appointment, commits a grievous offence, and, in his next birth, becomes a hog.

191. He, who caresses a *Súdrà* woman, after he has been invited to sacred obsequies, takes on himself all the sin, that has been committed by the giver of the repast.

192. The *Pitrĭs* or *great progenitors,* are free from wrath, intent on purity, ever exempt from sensual passions, endued

with exalted qualities: they are primeval divinities, who have laid arms aside.

193. HEAR now completely, from whom they sprang; who they are; by whom, and by what ceremonies they are to be honoured.

194. The sons of MARI'CHI and of all the other *Rĭshis*, who were the offspring of MENU, son of BRAHMA', are called the companies of *Pitrĭs*, or *forefathers*.

195. The *Sómasads*, who sprang from VIRA'J, are declared to be the ancestors of the *Sădhyas;* and the *Agnishwáttas*, who are famed among created beings as the children of MARI'CHI, to be the progenitors of the *Dévas*.

196. Of the *Daityas*, the *Dánavas*, the *Yacshas*, the *Gandharvas*, the *Uragas*, or *Serpents*, the *Racshases*, the *Garudas*, and the *Cinnaras*, the ancestors are *Barhishads* descended from ATRI;

197. Of *Bráhmens*, those named *Sómapas;* of *Cshatriyas*, the *Havishmats;* of *Vaisyas*, those called *A'jyapas;* of *Súdras*, the *Sucálins:*

198. The *Sómapas* descended from *Me*, BHRIGU; the *Havishmats*, from ANGIRAS; the *A'jyapas*, from PULASTYA; the *Sucálins*, from VASISHT'HA.

199. Those who are, and those who are not, consumable by fire, called *Agnidagdhas*, and *Anagnidagdhas*, the *Cávyas*, the *Barhishads*, the *Agnishwáttas*, and the *Saumyas*, let mankind consider as the chief progenitors of *Bráhmens*.

200. Of those just enumerated, who are generally reputed the principal tribes of *Pitrĭs*, the sons and grandsons indefinitely, are also in this world considered as great progenitors.

201. From the *Rĭshis* come the *Pitrĭs*, or patriarchs; from the *Pitrĭs*, both *Dévas* and *Dánavas;* from the *Dévas*, this whole world of animals and vegetables, in due order.

202. Mere water, offered with faith to the progenitors of men, in vessels of silver, or adorned with silver, proves the source of incorruption.

203. An oblation by *Bráhmens* to their ancestors transcends an oblation to the deities; because that to the

deities is considered as the opening and completion of that to ancestors.

204. As a preservative of the oblation to the patriarchs, let the house-keeper begin with an offering to the gods; for the *Racshases* rend in pieces an oblation which has no such preservative.

205. Let an offering to the gods be made at the beginning and end of the *sráddha*: it must not begin and end with an offering to ancestors; for he, who begins and ends it with an oblation to the *Pitrĭs*, quickly perishes with his progeny.

206. Let the *Bráhmen* smear with cow-dung a purified and sequestered piece of ground; and let him, with great care, select a place with a declivity toward the south:

207. The divine manes are always pleased with an oblation in empty glades, naturally clean, on the banks of rivers, and in solitary spots.

208. Having duly made an ablution with water, let him place the invited *Bráhmens*, who have also performed their ablutions, one by one, on allotted seats purified with *cusa*-grass.

209. When he has placed them with reverence on their seats, let him honour them, (having first honoured the Gods) with fragrant garlands and sweet odours.

210. Having brought water for them with *cusa*-grass and *tila*, let the *Bráhmen*, with the *Bráhmens*, pour the oblation, as the law directs, on the holy fire.

211. First, as it is ordained, having satisfied Agni, Soma, and Yama, with clarified butter, let him proceed to satisfy the manes of his progenitors.

212. If he have no consecrated fire, *as if he be yet unmarried, or his wife be just deceased*, let him drop the oblation into the hand of a *Bráhmen*; since, what fire is, even such is a *Bráhmen*; as priests, who know the *Véda* declare:

213. Holy sages call the chief of the twice-born the gods of obsequies, free from wrath, with placid aspects, of a primeval race, employed in the advancement of human creatures.

214. Having walked in order from east to south, and

thrown into the fire all the ingredients of his oblation, let him sprinkle water on the ground with his right hand.

215. From the remainder of the clarified butter having formed three balls of rice, let him offer them, with fixed attention, in the same manner as the water, his face being turned to the south:

216. Then having offered those balls, after due ceremonies and with an attentive mind, *to the manes of his father, his paternal grandfather, and great grandfather*, let him wipe the same hand with the roots of *cusa*, which he had before used, for the sake of *his paternal ancestors in the fourth, fifth, and sixth degrees, who are* the partakers of the rice and clarified butter *thus* wiped off.

217. Having made an ablution, returning toward the north, and thrice suppressing his breath slowly, let him salute the Gods of the six seasons, and the *Pitrĭs* also, being well acquainted with proper texts of the *Véda*.

218. Whatever water remains in his ewer, let him carry back deliberately near the cakes of rice; and, with fixed attention, let him smell those cakes, in order as they were offered:

219. Then, taking a small portion of the cakes in order, let him first, as the law directs, cause the *Bráhmens* to eat of them, while they are seated.

220. If his father be alive, let him offer the *sráddha* to his ancestors in *three* higher degrees; or let him cause his own father to eat, as a *Bráhmen* at the obsequies:

221. Should his father be dead, and his grandfather living, let him, in celebrating the name of his father, *that is, in performing obsequies to him*, celebrate also his paternal great grandfather;

222. Either the paternal grandfather may partake of the *sráddha* (so has MENU declared) or the grandson, authorized by him, may perform the ceremony at his discretion.

223. Having poured water, with *cusa*-grass and *tila*, into the hands of the *Bráhmens*, let him give them the upper part of the cakes, saying "*Swadhá* to the manes!"

224. Next, having himself brought with both hands, a

vessel full of rice, let him, still meditating on the *Pitrìs*, place it before the *Bráhmens* without precipitation.

225. Rice taken up, but not supported with both hands, the malevolent *Asuras* quickly rend in pieces.

226. Broths, potherbs, and other eatables accompanying the rice, together with milk and curds, clarified butter and honey, let him first place on the ground, after he has made an ablution; and let his mind be intent on no other object:

227. Let him add spiced puddings, and milky messes of various sorts, roots of herbs and ripe fruits, savoury meats, and sweet smelling drinks.

228. Then being duly purified, and with perfect presence of mind, let him take up all the dishes, one by one, and present them in order to the *Bráhmens*, proclaiming their qualities.

229. Let him at no time drop a tear; let him on no account be angry; let him say nothing false; let him not touch the eatables with his foot; let him not even shake the dishes:

230. A tear sends the messes to restless ghosts; anger, to foes; falsehood, to dogs; contact with his foot, to demons; agitation, to sinners.

231. Whatever is agreeable to the *Bráhmens*, let him give without envy; and let him discourse on the attributes of God: such discourse is expected by the manes.

232. At the obsequies to ancestors, he must let the *Bráhmens* hear passages from the *Véda*, from the codes of law, from moral tales, from heroick poems, from the *Purànas*, and from theological texts.

233. Himself being delighted, let him give delight to the *Bráhmens*, and invite them to eat of the provisions by little and little; attracting them often with the dressed rice and other eatables, and mentioning their good properties.

234. To the son of his daughter, though a student in theology, let him carefully give food at the *sráddha;* offering him a blanket *from Népàl* as his seat, and sprinkling the ground with *tila*.

235. Three things are held pure at such obsequies, the daughter's son, the *Népàl* blanket, and the *tila;* and three

things are praised in it by the wise, cleanliness, freedom from wrath, and want of precipitate haste.

236. Let all the dressed food be very hot; and let the *Bráhmens* eat it in silence; nor let them declare the qualities of the food, even though asked by the giver.

237. As long as the messes continue warm, as long as they eat in silence, as long as the qualities of the food are not declared by them, so long the manes feast on it.

238. What a *Bráhmen* eats with his head covered, what he eats with his face to the south, what he eats with sandals on his feet, the demons assuredly devour.

239. Let not a *Chandála*, a town-boar, a cock, a dog, a woman in her courses, or an eunuch, see the *Bráhmens* eating:

240. That, which any one of them sees at the oblation to fire, at a solemn donation of cows and gold, at a repast given to *Bráhmens*, at holy rites to the gods, and at the obsequies to ancestors, produces not the intended fruit:

241. The boar destroys it by his smell; the cock, by the air of his wings; the dog, by the cast of a look; the man of the lowest class, by the touch.

242. If a lame man, or a man with one eye, or a man with a limb defective or redundant, be even a servant of the giver, him also let his master remove from the place.

243. Should another *Bráhmen*, or a mendicant, come *to his house* for food, let him, having obtained permission from the invited *Bráhmens*, entertain the stranger to the best of his power.

244. Having brought together all the sorts of food, as dressed rice and the like, and sprinkling them with water, let him place them before the *Bráhmens*, who have eaten; dropping some *on the blades of* cusa-*grass, which have been spread* on the ground.

245. What remains in the dishes, and what has been dropped on the blades of *cusa*, must be considered as the portion of deceased *Bráhmens*, not girt with the sacrificial thread, and of such as have deserted unreasonably the women of their own tribe.

246. The residue, that has fallen on the ground at the

sráddha to the manes, the wise have decided to be the share of all the servants, who are not crooked in their ways, nor lazy and ill-disposed.

247. Before the obsequies to ancestors as far as the sixth degree, they must be performed to a *Bráhmen* recently deceased; but the performer of them must, *in that case,* give the *sráddha* without the ceremony to the Gods, and offer only one round cake; *and these obsequies for a single ancestor should be annually performed on the day of his death:*

248. When, *afterwards,* the obsequies to ancestors as far as the sixth degree, inclusively of him, are performed according to law, then must the offering of cakes be made by the descendants in the manner before ordained *for the monthly ceremonies.*

249. That fool, who, having eaten of the *sráddha,* gives the residue of it to a man of the servile class, falls headlong down to the hell, named *Cálasútra.*

250. Should the eater of a *sráddha* enter, on the same day, the bed of a seducing woman, his ancestors would sleep for that month on her excrement.

251. Having, by the word *swaditam,* asked the *Bráhmens* if they have eaten well, let him give them, being satisfied, water for an ablution, and courteously say to them: "Rest either at home or here."

252. Then let the *Bráhmens* address him, saying *swadhá;* for in all ceremonies relating to deceased ancestors, the word *swadhá* is the highest benison.

253. After that, let him inform those, who have eaten, of the food which remains; and, being instructed by the *Bráhmens,* let him dispose of it, as they may direct.

254. At the close of the *sráddha* to his ancestors, he must ask, if the *Bráhmens* are satisfied, by the word *swadita;* after that for his family, by the word *susruta;* after that for his own advancement, by the word *sampanna;* after that, which has been offered to the gods, by the word *ruchita.*

255. The afternoon, the *cusa*-grass, the cleansing of the ground, the *tilas,* the liberal gifts of food, the due prepara-

tion for the repast, and the company of most exalted *Bráhmens*, are true riches in the obsequies to ancestors.

256. The blades of *cusa*, the holy texts, the forenoon, all the oblations, *which will presently be enumerated*, and the purification before mentioned, are to be considered as wealth in the *sráddha* to the gods:

257. Such wild grains as are eaten by hermits, milk, the juice of the moon-plant, meat untainted, and salt unprepared by art, are held things fit, in their own nature, for the last mentioned offering.

258. Having dismissed the invited *Bráhmens*, keeping his mind attentive, and his speech suppressed, let him, after an ablution, look toward the south, and ask these blessings of the *Pitrĭs:*

259. "May generous givers abound in our house! may the scriptures be studied, and progeny increase, in it! may faith never depart from us! and may we have much to bestow on the needy!"

260. Thus having ended the *sráddha*, let him cause a cow, a priest, a kid, or the fire, to devour what remains of the cakes; or let him cast them into the waters.

261. Some make the offering of the round cakes after the repast of the *Bráhmens;** some cause the birds to eat what remains, or cast it into water or fire.

262. Let a lawful wife, ever dutiful to her lord, and constantly honouring his ancestors, eat the middlemost of the three cakes, *or that offered to his paternal grandfather*, with due ceremonies, praying for offspring:

263. So may she bring forth a son, who will be long-lived, famed, and strong-minded, wealthy, having numerous descendants, endued with the best of qualities, and performing all duties religious and civil.

264. THEN, having washed both his hands and sipped water, let him prepare some rice for his paternal kinsmen; and, having given it them with due reverence, let him prepare food also for his maternal relations.

* The word *purastát*, which I find in the MSS. as well as in the Calcutta edition, implies "before," therefore we should read "before the repast," and not "after the repast."

265. Let the residue continue in its place, until the *Bráhmens* have been dismissed; and then let him perform the *remaining* domestick sacraments.

266. What sort of oblations, given duly to the manes, are capable of satisfying them, for a long time or for eternity, I will now declare without omission.

267. The ancestors of men are satisfied a whole month with *tila,* rice, barley, black lentils or vetches, water, roots, and fruit, given with prescribed ceremonies;

268. Two months, with fish; three months, with venison; four, with mutton; five, with the flesh of *such* birds, *as* the twice-born may eat;

269. Six months, with the flesh of kids; seven, with that of spotted deer; eight, with that of the deer, or antelope, called *éna;* nine with that of the *ruru:*

270. Ten months are they satisfied with the flesh of wild boars and wild buffaloes; eleven, with that of *rabbits or* hares, and of tortoises; *

271. A whole year with the milk of cows, and food made of that milk; from the flesh of the long-eared white goat, their satisfaction endures twelve years.

272. The potherb *cálasáca,* the fish *mahásalca,* or the *diodon,* the flesh of a rhinoceros, or of an iron-coloured kid, honey, and all such forest grains as are eaten by hermits, are formed for their satisfaction without end.†

273. Whatever pure food, mixed with honey, a man offers on the thirteenth day of the moon, in the season of rain, and under the lunar asterism *Maghà,* has likewise a ceaseless duration.

* Though the learned translator has rendered the word *sasa* by "rabbits or hares," yet I think there is a reasonable doubt whether the rabbit came within the contemplation of the lawgiver, as such an interpretation is not given even by the commentator. As far as my experience goes, it is decidedly against the supposition that the rabbit is indigenous in India. The opinion of the natives is clear from their designating them "*wiláyati khargósh,*" "Foreign or English hares." But I have the authority of the two most eminent oriental scholars in this country for the same opinion, and one of them suggests, with great justice, that it may perhaps be found in the mountain districts to the north of India, though it be unknown to the inhabitants of the plains.

† The potherb *cálasáca* is not found in the dictionaries. The *mahásalka* is the shrimp or prawn.

274. "Oh! may that man, *say the manes*, be born in our line, who may give us milky food, with honey and pure butter, both on the thirteenth of the moon, and when the shadow of an elephant falls to the east!"

275. Whatever a man, endued with strong faith, piously offers, as the law has directed, becomes a perpetual unperishable gratification to his ancestors in the other world:

276. The tenth and so forth, except the fourteenth, in the dark half of the month, are the lunar days most approved for sacred obsequies: as they *are*, so *are* not the others.

277. He, who does honour to the manes, on even lunar days, and under even lunar stations, enjoys all his desires; on odd lunar days, and under odd lunar asterisms, he procures an illustrious race.

278. As the latter, *or dark*, half of the month surpasses, for the celebration of obsequies, the former, *or bright* half, so the latter half of the day surpasses, *for the same purpose*, the former half of it.

279. The oblation to ancestors must be duly made, even to *the conclusion of it with the distribution to* the servants (or even to the close of life), in the form prescribed, by a *Bráhmen* wearing his thread on his right shoulder, proceeding from left to right, without remissness, and with *cusa*-grass in his hand.

280. Obsequies must not be performed by night; since the night is called *rácshasì*, or *infested by demons;* nor while the sun is rising or setting, nor when it has just risen.

281. A house-keeper, *unable to give a monthly repast*, may perform obsequies here below, according to the sacred ordinance, only thrice a year, in the seasons of *hémánta*, *grishma*, and *vershà;* but the five sacraments he must perform daily.

282. The sacrificial oblation at obsequies to ancestors, is ordained to be made in no vulgar fire; nor should the monthly *sráddha* of that *Bráhmen*, who keeps a perpetual fire, be made on any day, except on that of the conjunction.

283. When a twice-born man, having performed his ablution, offers a satisfaction to the manes with water only, *being unable to give a repast*, he gains by that offering all the fruit of a *sráddha*.

284. The wise call our fathers, *Vasus;* our paternal grandfathers, *Rudras;* our paternal great grandfathers, *Adityas* (that is, *all are to be revered as deities*); and to this effect there is a primeval text in the *Véda.*

285. Let a man, who is able, continually feed on *vighasa,* and continually feed on *amrĭta:* by *vighasa* is meant the residue of a repast at obsequies; and by *amrĭta,* the residue of a sacrifice to the gods.

286. THIS complete system of rules, for the five sacraments and the like, has been declared to you: now hear the law for those means of subsistence, which the chief of the twice-born may seek.

CHAPTER IV.

ON ECONOMICKS; AND PRIVATE MORALS.

1. Let a *Bráhmen*, having dwelt with a preceptor during the first quarter of a man's life, pass the second quarter of human life in his own house, when he has contracted a legal marriage.

2. He must live, with no injury, or with the least possible injury, to animated beings, by pursuing those means of gaining subsistence, which are strictly prescribed by law, except in times of distress:

3. For the sole purpose of supporting life, let him acquire property by those irreproachable occupations, which are peculiar to his class, and unattended with bodily pain.

4. He may live by *rĭta* and *amrĭta*, or, *if necessary*, by *mrĭta*, or *pramrĭta*, or even by *satyánrĭta;* but never let him subsist by *swavrĭtti:*

5. By *rĭta*, must be understood lawful gleaning and gathering; by *amrĭta*, what is given unasked; by *mrĭta*, what is asked as alms; tillage is called *pramrĭta;*

6. Traffick and money-lending are *satyánrĭta;** even by them, *when he is deeply distressed*, may he support life; but service for hire is named *swavrĭtti*, or *dog-living*, and of course he must by all means avoid it.

7. He may either store up grain for three years; or garner up enough for one year: or collect what may last three days; or make no provision for the morrow.

8. Of the four *Bráhmens* keeping house, *who follow those four different modes*, a preference is given to the last in order

* The meaning of "*satyánrĭta*," is "truth and falsehood," by which commercial dealings are not unaptly designated; there being necessarily a mixture of both in such transactions.

successively; as to him, who most completely by virtue has vanquished the world:

9. One of them subsists by all the six means of livelihood; another by three of them; a third, by two only; and a fourth lives barely on continually teaching the *Véda.*

10. He, who sustains himself by picking up grains and ears, must attach himself to some altar of consecrated fire, but constantly perform those rites only, which end with the dark and bright fortnights and with the solstices.

11. Let him never, for the sake of a subsistence, have recourse to popular conversation; let him live by the conduct of a priest, neither crooked, nor artful, nor blended *with the manners of the mercantile class.*

12. Let him, if he seek happiness, be firm in perfect content, and check all desire of acquiring more *than he possesses;* for happiness has its root in content, and discontent is the root of misery.

13. A *Bráhmen* keeping house, *and* supporting himself by any of the *legal* means before-mentioned, must discharge these *following* duties, which conduce to fame, length of life, and beatitude.

14. Let him daily without sloth perform his peculiar duty, which the *Véda* prescribes; for he, who performs that *duty,* as well as he is able, attains the highest path to supreme bliss.

15. He must not gain wealth *by musick or dancing, or* by any art that pleases the sense; nor by any prohibited art; nor, whether he be rich or poor, *must he receive gifts* indiscriminately.

16. Let him not, from a selfish appetite, be strongly addicted to any sensual gratification; let him, by improving his intellect, studiously preclude an excessive attachment to such pleasures, *even though lawful.*

17. All kinds of wealth, that may impede his reading the *Véda,* let him wholly abandon, persisting by all means in the study of scripture; for that will be found his most beneficial attainment.

18. Let him pass through this life, bringing his apparel, his discourse, and his frame of mind, to a conformity with

his age, his occupations, his property, his divine knowledge, and his family.

19. Each day let him examine those holy books, which soon give increase of wisdom; and those, which teach the means of acquiring wealth; those, which are salutary to life; and those *nigamas*, which are explanatory of the *Véda;*

20. Since, as far as a man studies completely the system of sacred literature, so far only can he become eminently learned, and so far may his learning shine brightly.

21. The sacramental oblations to sages, to the gods, to spirits, to men, and to his ancestors, let him constantly perform to the best of his power.

22. Some, who well know the ordinances for those oblations, perform not always externally the five great sacraments, but continually make offerings in their own organs *of sensation and intellect:*

23. Some constantly sacrifice their breath in their speech, *when they instruct others, or praise* GOD *aloud*, and their speech in their breath, *when they meditate in silence;* perceiving in their speech and breath, *thus employed*, the unperishable fruit of a sacrificial offering:

24. Other *Bráhmens* incessantly perform those sacrifices with scriptural knowledge only; seeing with the eye of divine learning, that scriptural knowledge is the root of every ceremonial observance.

25. Let a *Bráhmen* perpetually make oblations to consecrated fire at the beginning and end of day and night, and at the close of each fortnight, or at the conjunction and opposition:

26. At the season, when old grain is usually consumed, let him offer new grain for a plentiful harvest; and at the close of the season, let him perform the rites called *adhwara;* at the solstices let him sacrifice cattle; at the end of the year, let his oblations be made with the juice of the moon-plant.

27. Not having offered grain for the harvest, nor cattle *at the time of the solstice*, let no *Bráhmen*, who keeps hallowed fire, and wishes for long life, taste rice or flesh;

28. Since the holy fires, not being honoured with new

grain and with a sacrifice of cattle, are greedy for rice and flesh, and seek to devour his vital spirits.

29. Let him take care, to the utmost of his power, that no guest sojourn in his house unhonoured with a seat, with food, with a bed, with water, with esculent roots, and with fruit:

30. But, let him not honour with his conversation such as do forbidden acts; such as subsist, like cats, *by interested craft;* such as believe not the scripture; such as oppugn it by sophisms; or such as live like rapacious water-birds.

31. With oblations to the gods and to ancestors, let him do reverence to *Bráhmens* of the second order, who are learned in theology, who have returned home from their preceptors, after having performed their religious duties and fully studied the *Véda;* but men of an opposite description let him avoid.

32. Gifts must be made by each house-keeper, as far as he has ability, to religious mendicants, though heterodox; and a just portion must be reserved, without inconvenience to his family, for all sentient beings, *animal and vegetable.*

33. A priest, who is master of a family, and pines with hunger, may seek wealth from a king *of the military class,* from a sacrificer, or his own pupil, but from no person else, *unless all other helps fail:* thus *will he shew his* respect for the law.

34. Let no priest, who keeps house, *and is* able *to procure food,* ever waste himself with hunger; nor, when he has any substance, let him wear old or sordid clothes.

35. His hair, nails, and beard, being clipped; *his passions* subdued; his mantle, white; his body, pure; let him diligently occupy himself in reading the *Véda,* and be constantly intent on such acts, as may be salutary to him.

36. Let him carry a staff of *Vénu,* an ewer with water in it, a handful of *cusa*-grass, or *a copy of* the *Véda;* with a pair of bright golden rings in his ears.

37. He must not gaze on the sun, whether rising or setting, or eclipsed, or reflected in water, or advanced to the middle of the sky.

38. Over a string, to which a calf is tied, let him not step;

nor let him run, while it rains; nor let him look on his own image in water: this is a settled rule.

39. By a mound of earth, by a cow, by an idol, by a *Bráhmen,* by *a pot of* clarified butter, or of honey, by a place where four ways meet, and by large trees well known in the district, let him pass with his right hand toward them.

40. Let him not, though mad with desire, approach his wife, when her courses appear; nor let him then sleep with her in the same bed;

41. Since the knowledge, the manhood, the strength, the eye-sight, even the vital spirit of him, who approaches his wife thus defiled, utterly perish;

42. But the knowledge, the manhood, the strength, the sight, and the life of him, who avoids her in that state of defilement, are greatly increased.

43. Let him neither eat with his wife, nor look at her eating, or sneezing, or yawning, or sitting carelessly at her ease;

44. Nor let a *Bráhmen,* who desires manly strength, behold her setting off her eyes with black powder, or scenting herself with essences, or baring her bosom, or bringing forth a child.

45. Let him not eat his food, wearing only a single cloth; nor let him bathe quite naked; nor let him eject urine or feces in the highway, nor on ashes, nor where kine are grazing.

46. Nor on tilled ground, nor in water, nor on wood raised for burning, nor, *unless he be in great need,* on a mountain, nor on the ruins of a temple, nor at any time on a nest of white ants;

47. Nor in ditches with living creatures in them, nor walking, nor standing, nor on the bank of a river,* nor on the summit of a mountain:

48. Nor let him ever eject them, looking at *things moved by* the wind, or at fire, or at a priest, or at the sun, or at water, or at cattle;

* The passage "on the bank of a river," would be more exact if rendered "on reaching the bank of a river."

49. But let him void his excrements, having covered the earth with wood, potsherds,* *dry* leaves and grass, or the like, carefully suppressing his utterance, wrapping up his breast and his head:

50. By day let him void them with his face to the north; by night, with his face to the south; at sunrise and at sunset, in the same manner as by day;

51. In the shade or in darkness, whether by day or by night, let a *Bráhmen* ease nature with his face turned as he pleases; and in places where he fears injury to life *from wild beasts or from reptiles.*

52. Of him, who should urine against fire, against the sun or the moon, against a twice-born man, a cow, or the wind, all the sacred knowledge would perish.†

53. Let him not blow the fire with his mouth; let him not see his wife naked; let him not throw any foul thing into the fire; nor let him warm his feet in it;

54. Nor let him place it *in a chafing dish* under *his bed;* nor let him stride over it; nor let him keep it, *while he sleeps,* at his feet: let him do nothing that may be injurious to life.

55. At the time of sunrise or sunset, let him not eat, nor travel, nor lie down to rest; let him not idly draw lines on the ground; nor let him take off his own chaplet of flowers.

56. Let him not cast into the water either urine or ordure, nor saliva, nor cloth, or any other thing, soiled with impurity, nor blood, nor any kinds of poison.

57. Let him not sleep alone in an empty house; nor let him wake a sleeping man *superiour to himself in wealth and in learning;* nor let him speak to a woman at the time of her courses; nor let him go to *perform* a sacrifice, unattended *by an officiating priest.*

* I have ventured to alter the word "potherb" into "potsherd," which I think must have been the word intended by the translator. The selection of potherbs, for the purpose noticed, carries with it something ridiculous, the sole intention of the injunction being to preserve the earth from contamination. The original passage is "*cásht'ha-lóshta-patra-trinádina,*" "with wood, clods, leaves, grass, and the like."

† The words "in water," should be inserted, and then the passage will read "in water or against a twice-born man."

58. In a temple *of consecrated fire*, in the pasture of kine, in the presence of *Bráhmens*, in reading the *Véda*, and in eating his food, let him hold out his right arm uncovered.

59. Let him not interrupt a cow *while she is* drinking, nor give notice to any, *whose milk or water she drinks;* nor let him, who knows *right from wrong*, and sees in the sky the bow of INDRA, show it to any man.

60. Let him not inhabit a town, in which civil and religious duties are neglected; nor, for a long time, one in which diseases are frequent; let him not begin a journey alone: let him not reside long on a mountain.

61. Let him not dwell in a city governed by a *Súdra* king, nor in one surrounded with men unobservant of their duties, nor in one abounding with professed hereticks, nor in one swarming with low-born outcasts.

62. Let him eat no vegetable, from which the oil has been extracted; nor indulge his appetite to satiety; nor eat either too early or too late; nor *take any food* in the evening, if he have eaten to fulness in the morning.

63. Let him make no vain corporeal exertion: let him not sip water *taken up* with his *closed* fingers: let him eat nothing *placed* in his lap: let him never take pleasure in asking idle questions.

64. Let him neither dance nor sing, nor play on musical instruments, *except in religious rites;* nor let him strike his arm, or gnash his teeth, or make a braying noise, though agitated by passion.

65. Let him not wash his feet in a pan of mixed yellow metal; nor let him eat from a broken dish, nor where his mind is disturbed with anxious apprehensions.

66. Let him not use either slippers or clothes, or a sacerdotal string, or an ornament, or a garland, or a waterpot, which before have been used by another.

67. With untrained beasts of burden let him not travel; nor with such, as are oppressed by hunger or by disease; nor with such as have imperfect horns, eyes, or hoofs; nor with such as have ragged tails:

68. But let him constantly travel with beasts well trained, whose pace is quick, who bear all the marks of a good breed,

who have an agreeable colour, and a beautiful form; giving them very little pain with his whip.*

69. The sun in the sign of *Canyà*,† the smoke of a burning corse, and a broken seat, must be shunned: he must never cut his own hair and nails, nor ever tear his nails with his teeth.

70. Let him not break mould or clay *without cause:* let him not cut grass with his nails; let him neither indulge any vain fancy, nor do any act, that can bring no future advantage:

71. He, who *thus idly* breaks clay, or cuts grass, or bites his nails, will speedily sink to ruin; and *so shall* a detractor, and an unclean person.

72. Let him use no contumelious phrase: let him wear no garland except on his hair: to ride on the back of a bull or a cow, is in all modes culpable.

73. Let him not pass, otherwise than by the gate, into a walled town, or an inclosed house; and by night let him keep aloof from the roots of trees.

74. Never let him play with dice: let him not put off his sandals with his hand:‡ let him not eat, while he reclines on a bed, nor what is placed in his hand, or on a bench;

75. Nor, when the sun is set, let him eat anything mixed with *tila;* nor let him ever in this world sleep quite naked; nor let him go any whither with a remnant of food in his mouth.

76. Let him take his food, having sprinkled his feet with water; but never let him sleep with his feet wet: he, who takes his food with his feet so sprinkled, will attain long life.

77. Let him never advance into a place undistinguishable by his eye, or not easily passable: never let him look at urine or ordure; nor let him pass a river *swimming* with his arms.

* Here, as in v. 44 of Chap. III. the word *pratóda* should be rendered "goad," and not "whip."

† "The sun in the sign *canyà*." *Canyà*, in its general sense, means a virgin, and here designates the sign VIRGO.

‡ We should here read, "let him not himself put off his sandals with his hand."

78. Let not a man, who desires to enjoy long life, stand upon hair, nor upon ashes, bones, or potsherds, nor upon seeds of cotton, nor upon husks of grain.

79. Nor let him tarry *even under the shade of the same tree* with outcasts for great crimes, nor with *Chandálas*, nor with *Puccasas*, nor with idiots, nor with men proud of wealth, nor with *washermen and other* vile persons, nor with *Antyavasáyins*.

80. Let him not give *even temporal* advice to a *Súdra;* nor, *except to his own servant*, what remains from his table; nor clarified butter, of which part has been offered *to the gods;* nor let him *in person* give spiritual counsel to such a man, nor *personally* inform him of the legal expiation for his sin:

81. Surely he, who declares the law to a servile man, and he, who instructs him in the mode of expiating sin, *except by the intervention of a priest*, sinks with that very man into the hell named *Asamvrĭta*.

82. Let him not stroke his head with both hands;* nor let him even touch it, while food remains in his mouth; nor without *bathing it*, let him bathe his body.

83. Let him not *in anger* lay hold of hair, or smite any one on the head; nor let him, after his head has been rubbed with oil, touch with oil any of his limbs.

84. From a king, not born in the military class, let him accept no gift, nor from such as keep a slaughter-house, or an oil-press, or put out a vintner's flag, or subsist by the gain of prostitutes:

85. One oil-press is as bad as ten slaughter-houses; one vintner's flag, as ten oil-presses; one prostitute, as ten vintner's flags; one *such* king, as ten prostitutes;

86. With a slaughterer, *therefore*, who employs ten thousand slaughter-houses, a king, *not a soldier by birth*, is declared to be on a level; *and* a gift from him is tremendous.

87. He, who receives a present from an avaricious king

* The verb "*na candúyét*" implies (as coming from the root *candú*, "itch") "let him not scratch his head with both hands," instead of "let him not stroke, &c."

and a transgressor of the sacred ordinances, goes in succession to the following twenty-one hells:

88. *Támisra*, *Andhatámisra*, *Mahárauravа*, *Raurava*, *Naraca*, *Cálasútra*, and *Mahánaraca;*

89. *Sanjívana*, *Mahavíchi*, *Tapana*, *Sampratápana*, *Sanháta*, *Sacácóla*, *Cudmala*, *Pútimrĭttica;*

90. *Lóhasancu*, or *iron-spiked*, and *Rĭjísha*, *Pant'hána*, the river *Sálmalì*, *Asipatravana*, or *the sword-leaved forest*, and *Lóhángáraca*, or *the pit of red-hot charcoal.**

91. *Bráhmens*, who know this *law*, who speak the words of the *Véda*, and who seek bliss after death, accept no gifts from a king.

92. Let the house-keeper wake in the time sacred to Bra'hmi', *the goddess of speech, that is, in the last watch of the night:* let him then reflect on virtue and virtuous emoluments, on the bodily labour, which they require, and on the whole meaning and very essence of the *Véda*.

93. Having risen, having done what nature makes necessary, having then purified himself and fixed his attention, let him stand a long time repeating the *gáyatrì* for the first *or morning* twilight; as he must, for the last *or evening* twilight in its proper time.

94. By continued repetition of the *gáyatrì*, at the twilights, the holy sages acquire length of days, perfect knowledge, reputation during life, fame after death, and celestial glory.

95. Having duly performed the *upácarma*, or *domestick ceremony with sacred fire*, at the full moon of *Srávana*, or of *Bhádra*, let the *Bráhmen*, fully exerting his intellectual powers, read the *Védas* during four months and one fortnight:

96. Under the lunar asterism *Pushya*, or on the first day of the bright half of *Mágha*, and in the first part of the day,

* Among the list of places of future punishment here enumerated, I have in the Sanscrit text adopted, on the authority of other mss. that of "*Lóhadárica*" or "iron-pincers," instead of "*Lóhángárica*" or "the pit of red hot charcoal." By "iron-pincers" I suppose a place of torment where the damned are continually tortured by being torn with iron-pincers.

let him perform, out of the town, *the ceremony called* the *utserga* of the *Védas.*

97. Having performed that ceremony out of town, as the law directs, let him desist from reading for one *intermediate* night winged *with two days,* or for that day and *that following* night only;

98. But after that *intermission,* let him attentively read the *Védas* in the bright fortnights; and in the dark fortnights let him constantly read all the *Védángas.*

99. He must never read the *Véda* without accents and letters well pronounced; nor ever in the presence of *Súdras;* nor, *having begun to read it* in the last watch of the night, must he, though fatigued, sleep again.

100. By the rule just mentioned let him continually, with his faculties exerted, read the *Mantras,* or holy texts, composed in regular measures; and, when he is under no restraint, let him read both the *Mantras* and the *Bráhmenas,* or chapters on the attributes of GOD.

101. LET a reader of the *Véda,* and a teacher of it to his pupils, in the form prescribed, always avoid reading on the following prohibited days.

102. By night, when the wind meets his ear, and by day when the dust has collected, *he must not read* in the season of rain; since both those times are declared unfit for reading, by such as know when the *Véda* ought to be read.

103. In lightning, thunder, *and* rain, or during the fall of large fireballs on all sides, at such times MENU has ordained the reading of scripture to be deferred till the same time next day.

104. When the priest perceives those accidents occurring at once, while his fires are kindled for *morning and evening* sacrifices, then let him know, that the *Véda* must not be read; and when clouds are seen gathered out of season.

105. On the occasion of a preternatural sound from the sky, of an earthquake, or an obscuration of the heavenly bodies, even in due season, let him know, that his reading must be postponed till the proper time:

106. But if, while his fires are blazing, the sound of lightning and thunder is heard *without rain,* his reading must be

discontinued, only while the phenomenon lasts; the remaining event, *or rain also,* happening, it must cease for a night and a day.

107. The reading of such, as wish to attain the excellent reward of virtue, must continually be suspended in towns and in cities, and always where an offensive smell prevails.

108. In a district, through which a corpse is carried, and in the presence of an unjust person, the reading of scripture must cease; *and* while the sound of weeping is heard; and in a promiscuous assembly of men.

109. In water, near midnight, and while the two natural excretions are made, or with a remnant of food in the mouth, or when the *srddha* has recently been eaten, let no man even meditate in his heart *on the holy texts.*

110. A learned *Bráhmen,* having received an invitation to the obsequies of a single ancestor, must not read the *Véda* for three days; nor when the king has a son born; nor when the dragon's head causes an eclipse.

111. As long as the scent and unctuosity of perfumes remain on the body of a learned priest, who has partaken of an entertainment, so long he must abstain from pronouncing the texts of the *Véda.*

112. Let him not read lolling on a couch, nor with his feet raised on a bench, nor with his thighs crossed, nor having lately swallowed meat, or the rice and other food *given* on the birth or death of a relation;

113. Nor in a cloud of dust, nor while arrows whiz, *or a lute sounds,* nor in either of the twilights, nor at the conjunction, nor on the fourteenth day, nor at the opposition, nor on the eighth day, of the moon:

114. The dark lunar day destroys the spiritual teacher; the fourteenth destroys the learner; the eighth and the day of the full moon destroy *all remembrance of* scripture; for which reasons he must avoid reading on those lunar days.

115. Let no *Bráhmen* read, while dust falls like a shower, nor while the quarters of the firmament are inflamed, nor while shakals yell, nor while dogs bark or yelp, nor while asses or camels bray, *nor while men in company chatter.*

116. He must not read near a cemetery, near a town, or

in a pasture for kine; nor in a mantle worn before at a time of dalliance; nor having just received the present usual at obsequies:

117. Be it an animal, or a thing inanimate, or whatever be the gift at a *sráddha*, let him not, having lately accepted it, read the *Véda;* for such a *Bráhmen* is said to have his mouth in his hand.

118. When the town is beset by robbers, or an alarm has been raised by fire, and in all terrours from strange phenomena, let him know, that his lecture must be suspended till the due time *after the cause of terrour be ceased.*

119. The suspension of reading scripture, after a performance of the *upácarma* and *utserga,* must be for three whole nights, *by the man who seeks virtue more than knowledge;* also for one day and night, on the eighth lunar days which follow those ceremonies, and on the nights at the close of the seasons.

120. Never let him read on horseback, nor on a tree, nor on an elephant, nor in a boat, nor on an ass, nor on a camel, nor standing on barren ground, nor borne in a carriage;

121. Nor during a verbal altercation, nor during a mutual assault, nor with an army, nor in battle, nor after food, *while his hand is moist from washing,* nor with an indigestion, nor after vomiting, nor with sour eructations;

122. Nor without notice to a guest just arrived, nor while the wind vehemently blows, nor when blood gushes from his body, nor when it is wounded by a weapon.

123. While the strain of the *Sáman* meets his ear, he shall not read the *Rĭch,* or the *Yajush;* nor any part of the *Véda,* when he has just concluded the whole; nor *any other part,* when he has just finished the book entitled *A'ranyaca:*

124. The *Rĭgvéda* is held sacred to the gods; the *Yajurvéda* relates to mankind; the *Sámavéda* concerns the manes of ancestors, and the sound of it, *when chanted,* raises therefore a notion of something impure.

125. Knowing this *collection of rules,* let the learned read the *Véda* on every *lawful* day, having first repeated in order the pure essence of the three *Védas,* namely, the *pranava,* the *vyáhrĭtis,* and the *gáyatrì.*

126. If a beast used in agriculture, a frog, a cat, a dog, a snake, an ichneumon, or a rat, pass between *the lecturer and his pupil,* let him know, that the lecture must be intermitted for a day and a night.

127. Two occasions, when the *Véda* must not be read, let a *Bráhmen* constantly observe with great care; *namely,* when the place for reading it is impure, and when he is himself unpurified.

128. On the dark night of the moon, and on the eighth, on the night of the full moon, and on the fourteenth, let a *Bráhmen,* who keeps house, be continually chaste as a student in theology, even in the season of nuptial embraces.

129. Let him not bathe, having just eaten; nor while he is afflicted with disease; nor in the middle of the night; nor * with many clothes; nor in a pool of water imperfectly known.

130. Let him not intentionally pass over the shadow of sacred images, of a *natural or spiritual* father, of a king, of a *Bráhmen,* who keeps house, or of any reverend personage; nor of a red-haired *or copper-coloured* man; nor of one who has just performed a sacrifice.

131. At noon or at midnight, or having eaten flesh at a *sráddha,* or in either of the twilights, let him not long tarry, where four ways meet.

132. He must not stand knowingly near oil and other things, with which a man has rubbed his body, or water, in which he has washed himself, or feces and urine, or blood, or mucus, or any thing chewed and spitten out, or any thing vomited.

133. Let him show no particular attention to his enemy, or his enemy's friend, to an unjust person, to a thief, or to the wife of another man;

134. Since nothing is known in this world so obstructive to length of days, as the culpable attention of a man to the wife of another.

135. Never let him, who desires an increase of wealth,

* The word "repeatedly" should be here added, and the passage will then stand "nor repeatedly with many clothes."

despise a warriour, a serpent, or a priest versed in scripture, how mean soever *they may appear;*

136. Since those three, when contemned, may destroy a man; let a wise man therefore always beware of treating those three with contempt:

137. Nor should he despise *even* himself on account of previous miscarriages: let him pursue fortune till death, nor ever think her hard to be attained.

138. Let him say what is true, but let him say what is pleasing; let him speak no disagreeable truth, nor let him speak agreeable falsehood: this is a primeval rule.

139. Let him say "well and good," or let him say "well" only; but let him not maintain fruitless enmity and altercation with any man.

140. Let him not journey too early in the morning or too late in the evening, nor too near the mid-day, nor with any unknown companion, nor alone, nor with men of the servile class.

141. Let him not insult those, who want a limb, or have a limb redundant, who are unlearned, who are advanced in age, who have no beauty, who have no wealth, or who are of an ignoble race.

142. Let no priest, unwashed after food, touch with his hand a cow, a *Bráhmen,* or fire; nor being in good health *and* unpurified, let him even look at the luminaries in the firmament:

143. But, having accidentally touched them before his purification, let him ever sprinkle, with water in the palm of his hand, his organs of sensation, all his limbs, and his navel.

144. Not being in pain from disease, let him never without cause touch the cavities of his body; and carefully let him avoid his concealed hair.

145. Let him be intent on *those propitious observances which lead to* good fortune, and on the discharge of his customary duties, his body and mind being pure, and his members kept in subjection; let him constantly without remissness repeat the *gáyatrì* and present his oblation to fire:

146. To those, who are intent on good fortune and on

the discharge of their duties, who are always pure, who repeat the holy text and make oblations to fire, no calamity happens.

147. In due season let him ever study the scripture without negligence; for the sages call that his principal duty: every other duty is declared to be subordinate.

148. By reading the *Véda* continually, by purity of body and mind, by rigorous devotion, and by doing no injury to animated creatures, he brings to remembrance his former birth:

149. A *Bráhmen*, remembering his former birth, again reads the *Véda*, and, by reading it constantly, attains bliss without end.

150. On the days of the conjunction and opposition, let him constantly make those oblations, which are hallowed by the *gáyatrì*, and those, which avert misfortune; but on the eighth and ninth lunar days *of the three dark fortnights after the end of Agraháyan*, let him always do reverence to the manes of ancestors.

151. Far from the mansion of holy fire, let him remove all ordure; far *let him remove* water, in which feet have been washed; far *let him remove* all remnants of food, and all seminal impurity.

152. At the beginning of each day let him discharge his feces, bathe, rub his teeth, apply a collyrium to his eyes, adjust his dress, and adore the gods.

153. *On the dark lunar day, and* on the *other monthly* parvans, let him visit the images of deities, and *Bráhmens* eminent in virtue, and the ruler of the land, for the sake of protection, and those whom he is bound to revere.

154. Let him humbly greet venerable men, *who visit him*, and give them his own seat; let him sit near them, closing the palms of his hands; and when they depart, let him walk some way behind them.

155. Let him practise without intermission that system of approved usages, which is the root of all duty religious and civil, declared at large in the scripture and sacred law tracts, together with the ceremonies peculiar to each act:

156. Since by such practice long life is attained; by such

practice *is gained* wealth unperishable; such practice baffles every mark of ill fortune:*

157. But, by an opposite practice, a man surely sinks to contempt in this world, has always a large portion of misery, is afflicted with disease and short-lived;

158. While the man, who is observant of approved usages, endued with faith in scripture, and free from a spirit of detraction, lives a hundred years, even though he bear no bodily mark of a prosperous life.

159. Whatever act depends on another man, that act let him carefully shun; but whatever depends on himself, to that let him studiously attend;

160. ALL, THAT DEPENDS ON ANOTHER, GIVES PAIN; AND ALL, THAT DEPENDS ON HIMSELF, GIVES PLEASURE; let him know this to be in few words the definition of pleasure and pain.

161. When an act, *neither prescribed nor prohibited*, gratifies the mind of him who performs it, let him perform it with diligence; but let him avoid its opposite.

162. Him, by whom he was invested with the sacrificial thread, him, who explained the *Véda* or even a part of it, his mother, and his father, natural or spiritual, let him never oppose; nor priests, nor cows, nor persons truly devout.

163. Denial of a future state, neglect of the scripture, and contempt of the deities, envy and hatred, vanity and pride, wrath and severity, let him *at all times* avoid.

164. Let him not, when angry, throw a stick at another man, nor smite him with any thing; unless he be a son or a pupil: those two he may chastise for their *improvement* in learning.

165. A twice-born man, who barely assaults a *Bráhmen* with intention to hurt him, shall be whirled about for a century in the hell named *Támisra;*

166. *But,* having smitten him in anger and by design, even with a blade of grass, he shall be born, in one and

* The passage "such practice gives desirable offspring" has been omitted by the translator, and should immediately follow the first sentence.

twenty transmigrations, from the wombs of impure quadrupeds.

167. He, who, through ignorance of the law, sheds blood from the body of a *Bráhmen*, not engaged in battle, shall feel excessive pain in his future life:

168. As many particles of dust as the blood shall roll up from the ground, for so many years shall the shedder of that blood be mangled by other animals in his next birth.*

169. Let not him then, who knows *this law*, even assault a *Bráhmen* at any time, nor strike him even with grass, nor cause blood to gush from his body.

170. Even here below an unjust man attains no felicity; nor he, whose wealth proceeds from giving false evidence; nor he, who constantly takes delight in mischief.

171. Though oppressed by penury, in consequence of his righteous dealings, let him never give his mind to unrighteousness; for he may observe the speedy overthrow of iniquitous and sinful men.

172. Iniquity, committed in this world, produces not fruit immediately, *but*, like the earth, *in due season;* and, advancing by little and little, it eradicates the man who committed it.

173. Yes; iniquity, once committed, fails not of producing fruit to him, who wrought it; if not in his own person, yet in his sons; or, if not in his sons, yet in his grandsons:

174. He grows rich for a while through unrighteousness; then he beholds good things; then it is, that he vanquishes his foes; but he perishes at length from his whole root upwards.

175. Let a man continually take pleasure in truth, in justice, in laudable practices, and in purity; let him chastise those, whom he may chastise, in a legal mode; let him keep in subjection his speech, his arm, and his appetite:

176. Wealth and pleasures, repugnant to law, let him shun; and even lawful acts, which may cause future pain, or be offensive to mankind.

177. Let him not have nimble hands, restless feet, or

* The same idea that is found in this couplet, will be seen in Chap. XI. v. 208.

voluble eyes; let him not be crooked in his ways; let him not be flippant in his speech, nor intelligent in doing mischief.

178. Let him walk in the path of good men; the path, in which his parents and forefathers walked: while he moves in that path, he can give no offence.

179. WITH an attendant on consecrated fire, a performer of holy rites, and a teacher of the *Véda*, with his maternal uncle, with his guest or a dependant, with a child, with a man either aged or sick, with a physician, with his paternal kindred, with his relations by marriage, and with cousins on the side of his mother,

180. With his mother herself, or with his father, with his kinswomen, with his brother, with his son, his wife, or his daughter, and with his whole set of servants let him have no strife.

181. A house-keeper, who shuns altercation with those *just mentioned*, is released from all *secret* faults; and, by suppressing all such disputes, he obtains a victory over the following worlds:

182. The teacher of the *Véda* secures him the world of BRAHMA'; his father, the world *of the Sun, or* of the *Prajápatis;* his guest, the world of INDRA; his attendance on holy fire, the world of *Dévas;*

183. His female relations, the world of celestial nymphs; his maternal cousins, the world of the *Viswadévas;* his relations by affinity, the world of waters; his mother and maternal uncle give him power on earth;

184. Children, old men, poor dependants, and sick persons, must be considered as rulers of the pure ether; his elder brother, as equal to his father; his wife and son, as his own body;

185. His assemblage of servants, as his own shadow; his daughter, as the highest object of tenderness: let him, therefore, when offended by any of those, bear the offence without indignation.

186. THOUGH permitted to receive presents, let him avoid a habit of taking them; since, by taking many gifts, his divine light soon fades.

187. Let no man of sense, who has not fully informed

himself of the law concerning gifts of *particular* things, accept a present, even though he pine with hunger.

188. The man who knows not that law, yet accepts gold or gems, land, a horse, a cow, food, raiment, oils or clarified butter, becomes mere ashes, like wood *consumed by fire:*

189. Gold and gems burn up his nourishment and life; land and a cow, his body; a horse, his eyes; raiment, his skin; clarified butter, his manly strength; oils, his progeny.

190. A twice-born man, void of true devotion, and not having read the *Véda,* yet eager to take a gift, sinks down together with it, as with a boat of stone in deep water.

191. Let him then, who knows not the law, be fearful of presents from this or that giver; since an ignorant man, even by a small gift, may become helpless as a cow in a bog.

192. Let no man, apprized of this law, present even water to a priest, who acts like a cat, nor to him, who acts like a bittern, nor to him, who is unlearned in the *Véda;*

193. Since property, though legally gained, if it be given to either of those three, becomes prejudicial in the next world, both to the giver and receiver:

194. As he, who tries to pass over deep water in a boat of stone, sinks to the bottom, so those two ignorant men, the receiver and the giver, sink to a region of torment.

195. A covetous wretch, who continually displays the flag of virtue, a pretender, a deluder of the people, is declared to be the man who acts like a cat: he is an injurious hypocrite, a detractor from the merits of all men.

196. A twice-born man, with his eyes dejected, morose, intent on his own advantage, sly, and falsely demure, is he, who acts like a bittern.

197. Such priests, as live like bitterns, and such as demean themselves like cats, fall by that sinful conduct into the hell called *Andhatámisra.*

198. LET no man, having committed sin, perform a penance, under the pretext of austere devotion, disguising his crime under fictitious religion, and deceiving both women and low men:

199. Such impostors, though *Bráhmens,* are despised in

the next life and in this, by all who pronounce holy texts; and every religious act fraudulently performed goes to evil beings.

200. He, who has no right to distinguishing marks, yet gains a subsistence by wearing false marks of distinction, takes to himself the sin committed by those who are entitled to such marks, and shall again be born from the womb of a brute animal.

201. NEVER let him bathe in the pool of another man; for he, who bathes in it *without licence*, takes to himself a small portion of the sins, which the maker of the pool has committed.

202. He, who appropriates to his own use the carriage, the bed, the seat, the well, the garden, or the house of another man, who has not delivered them to him, assumes a fourth part of the guilt of their owner.

203. In rivers, in ponds dug by holy persons, and in lakes, let him always bathe; in rivulets also, and in torrents.

204. A WISE man should constantly discharge all the moral duties, though he perform not constantly the ceremonies of religion; since he falls low, if, while he performs ceremonial acts only, he discharge not his moral duties.

205. NEVER let a priest eat part of a sacrifice not begun with texts of the *Véda*, nor of one performed by a common sacrificer, by a woman, or by an eunuch:

206. When those persons offer the clarified butter, it brings misfortune to good men, and raises aversion in the deities; such *oblations*, therefore, he must carefully shun.

207. Let him never eat the food of the insane, the wrathful, or the sick; nor that, on which lice have fallen; nor that, which has designedly been touched by a foot;

208. Nor that, which has been looked at by the slayer of a priest, *or by any other deadly sinner*, or has even been touched by a woman in her courses, or pecked by a bird, or approached by a dog:

209. Nor food which has been smelled by a cow; nor particularly that which has been proclaimed *for all comers;* nor the food of associated knaves, or of harlots; nor that, which is contemned by the learned in scripture;

210. Nor that of a thief or a publick singer, of a carpenter,

of an usurer, of one who has recently come from a sacrifice, of a niggardly churl, or of one bound with fetters;

211. Of one publickly defamed, of an eunuch, of an unchaste woman, or of a hypocrite: nor any sweet thing turned acid, nor what has been kept a whole night; nor the food of a servile man, nor the orts of another;

212. Nor the food of a physician, or of a hunter, or of a dishonest man, or of an eater of orts; nor that of any cruel person; nor of a woman in childbed; nor of him, who rises prematurely from table to make an ablution; nor of her, whose ten days of purification have not elapsed;

213. Nor that, which is given without due honour to honourable men; nor any flesh, which has not been sacrificed; nor the food of a woman, who has neither a husband nor a son; nor that of a foe, nor that of the whole town, nor that of an outcast, nor that on which any person has sneezed;

214. Nor that of a backbiter, or of a false witness; nor of one, who sells the reward of his sacrifice; nor of a publick dancer, or a tailor; nor of him who has returned evil for good;

215. Nor that of a blacksmith, or a man of the tribe called *Nisháda*, nor of a stage-player, nor of a worker in gold or in cane, nor of him who sells weapons;

216. Nor of those, who train hunting-dogs, or sell fermented liquor; nor of him who washes clothes, or who dyes them; nor of any malevolent person; nor of one, who ignorantly suffers an adulterer to dwell under his roof;

217. Nor of those, who knowingly bear with the paramours of their own wives, or are constantly in subjection to women; nor food given for the dead before ten days of purification have passed; nor any food whatever, but that which satisfies him.

218. Food given by a king, impairs his manly vigour; by one of the servile class, his divine light; by goldsmiths, his life; by leathercutters, his good name:

219. Given by *cooks and the like* mean artizans, it destroys his offspring; by a washerman, his muscular strength; but the food of knavish associates and harlots excludes him from heaven:

220. The food of a physician is purulent; that of a libidinous woman, seminal; that of an usurer, feculent; that of a weapon-seller, filthy:

221. That of all others, mentioned in order, whose food must never be tasted, is held equal by the wise to the skin, bones, and hair of the dead.

222. Having unknowingly swallowed the food of any such persons, he must fast during three days; but, having eaten it knowingly, he must perform the same harsh penance, as if he had tasted any seminal impurity, ordure, or urine.

223. Let no learned priest eat the dressed grain of a servile man, who performs no parental obsequies; but, having no other means to live, he may take from him raw grain enough for a single night.

224. The deities, having well considered the food of a niggard, who has read the scripture, and that of an usurer, who bestows gifts liberally, declared the food of both to be equal in quality;

225. But BRAHMA', advancing towards the gods, thus addressed them: "Make not that equal, which in truth is unequal; since the food of a liberal man is purified by faith, while that of a learned miser is defiled by his want of faith in what he has read."

226. LET each *wealthy* man continually and sedulously perform sacred rites, and consecrate pools or gardens with faith; since those two acts, accomplished with faith and with riches honestly gained, procure an unperishable reward.

227. If he meet with fit objects of benevolence, let him constantly bestow gifts on them, both at sacrifices and consecrations, to the best of his power, and with a chearful heart;

228. Such a gift, how small soever, bestowed on request without grudging, passes to a worthy object, who will secure the giver from all evil.

229. A giver of water obtains content; a giver of food, extreme bliss; a giver of *tila,* desired offspring; a giver of a lamp, unblemished eyesight;

230. A giver of land obtains landed property; a giver of

gems or gold, long life; a giver of a house, the most exalted mansion; a giver of silver, exquisite beauty; *

231. A giver of clothes, the same station with CHANDRA; a giver of a horse, the same station with ASWI; a giver of a bull, eminent fortune; a giver of a cow, the mansion of SU'RYA;

232. A giver of a carriage or a bed, an excellent consort; a giver of safety, supreme dominion; a giver of grain, perpetual delight; a giver of scriptural knowledge, union with GOD:

233. Among all those gifts, of water, food, kine, land, clothes, *tila*, gold, clarified butter, and the rest, a gift of spiritual knowledge is consequently the most important;

234. And for whatever purpose a man bestows any gift, for a similar purpose he shall receive, with due honour, a similar reward.

235. Both he, who respectfully bestows a present, and he who respectfully accepts it, shall go to a seat of bliss; but, if they act otherwise, to a region of horrour.

236. LET not a man be proud of his rigorous devotion; let him not, having sacrificed, utter a falsehood; let him not, though injured, insult a priest; having made a donation, let him never proclaim it:

237. By falsehood, the sacrifice becomes vain; by pride, the merit of devotion is lost; by insulting priests, life is diminished; and by proclaiming a largess, its fruit is destroyed.

238. GIVING no pain to any creature, let him collect virtue by degrees, for the sake of acquiring a companion to the next world, as the white ant by degrees builds his nest.

239. For, in his passage to the next world, neither his father, nor his mother, nor his wife, nor his son, nor his kinsmen, will remain in his company: his virtue alone will adhere to him.

* "A giver of silver, exquisite beauty." Beauty has been assigned as the reward for a gift of silver, apparently because it made a sort of pun; *rúpya* implying both silver and beautiful. Similar cases occur throughout the work, in which a play upon words has been allowed, when no solid reason could be assigned for any other allotment of rewards or punishments. In the twelfth chapter many such are to be observed.

240. Single is each man born ; single he dies ; single he receives the reward of his good, and single the punishment of his evil, deeds :

241. When he leaves his corse, like a log or a lump of clay, on the ground, his kindred retire with averted faces ; but his virtue accompanies his soul.

242. Continually, therefore, by degrees, let him collect virtue, for the sake of securing an inseparable companion ; since with virtue for his guide, he will traverse a gloom, how hard to be traversed !

243. A man, habitually virtuous, whose offences have been expiated by devotion, is instantly conveyed after death to the higher world, with a radiant form and a body of ethereal substance.*

244. HE, who seeks to preserve an exalted rank, must constantly form connexions with the highest and best families, but avoid the worst and the meanest ;

245. Since a priest, who connects himself with the best and highest of men, avoiding the lowest and worst, attains eminence ; but sinks, by an opposite conduct, to the class of the servile.

246. HE, who perseveres in good actions, in subduing his passions, in bestowing largesses, in gentleness of manners, who bears hardships patiently, who associates not with the malignant, who gives pain to no sentient being, obtains final beatitude.

247. WOOD, water, roots, fruit, and food placed before him without his request, he may accept from all men ; honey also, and protection from danger.

248. Gold, or other alms, voluntarily brought and presented, but unasked and unpromised, BRAHMA′ considered as receivable even from a sinner :

249. Of him, who shall disdain to accept such alms,

* This verse has not been translated with the same felicity and exactness which distinguish the rest : perhaps it might be rendered more in consonance with the general spirit of the version thus (See v. 167. Chap. II.) :

"Yes, verily ! Sovereign virtue instantly conducts the man whose sins have been expiated by penance, to the higher world, with a radiant and etherial body."

neither will the manes eat the funeral oblations for fifteen years, nor will the fire convey the burnt sacrifice to the gods.

250. A bed, houses, blades of *cusa*, perfumes, water, flowers, jewels, butter-milk, ground rice, fish, new milk, flesh-meat, and green vegetables, let him not proudly reject.

251. When he wishes to relieve his natural parents or spiritual father, his wife or others, whom he is bound to maintain, or when he is preparing to honour deities or guests, he may receive gifts from any person, but must not gratify himself with such presents:

252. If his parents, however, be dead, or if he live without them in his own house, let him, when he seeks nourishment for himself, receive presents invariably from good men alone.

253. A labourer in tillage, a family friend, a herdsman, a slave, a barber, a poor stranger offering his humble duty, are men of the servile class, who may eat the food of their superiours:

254. As the nature of the poor stranger is, as the work is, which he desires to perform, and as he may show most respect *to the master of the house*, even thus let him offer his service;

255. For he, who describes himself to worthy men, in a manner contrary to truth, is the most sinful wretch in this world: he is the worst of thieves, a stealer of minds.

256. All things have their sense ascertained by speech; in speech they have their basis; and from speech they proceed: consequently, a falsifier of speech falsifies every thing.

257. WHEN he has paid, as the law directs, his debts to the sages, to the manes, and to the gods, *by reading the scripture, begetting a son, and performing regular sacrifices*, he may resign all to his son *of mature age*, and reside in his family-house, with no employment, but that of an umpire.

258. Alone, in some solitary place, let him constantly meditate on the divine nature of the soul, for by such meditation he will attain happiness.

259. THUS has been declared the mode, by which a *Bráhmen,* who keeps house, must continually subsist, together with the rule of devotion ordained for a pupil returned from his preceptor; a laudable rule, which increases the best of *the three* qualities.

260. A priest, who lives always by these rules, who knows the ordinances of the *Véda,* who is freed from the bondage of sin, shall be absorbed in the divine essence.

CHAPTER V.

ON DIET, PURIFICATION, AND WOMEN.

1. The sages, having heard those laws delivered for the conduct of house-keepers, thus addressed the high-minded Bhrigu, who proceeded *in a former birth* from the genius of fire.

2. How, Lord, can death prevail over *Bráhmens*, who know the scriptural ordinances, and perform their duties as they have been declared?

3. Then he, whose disposition was perfect virtue, even Bhrigu, the son of Menu, thus answered the great *Rĭshis:*

Hear, from what sin proceeds the inclination of death, to destroy the chief of the twice-born:

4. Through a neglect of reading the *Véda*, through a desertion of approved usages, through supine remissness *in performing holy rites*, and through various offences in diet, *the genius of* death becomes eager to destroy them.

5. Garlick, onions, leeks, and mushrooms (which no twice-born man must eat), and all vegetables raised in dung.

6. Red gums or resins, exuding from trees, and juices from wounded stems, the fruit *sélu*,* and the thickened milk of a cow within ten days after her calving, a priest must avoid with great care.

7. Rice-pudding boiled with *tila*, frumenty, rice-milk, and baked bread, which have not been first offered to some deity, flesh-meat also, the food of gods, and clarified butter, which have not first been touched, while holy texts were recited,

8. Fresh milk from a cow, whose ten days are not passed, the milk of a camel, or any quadruped with a hoof not cloven, that of an ewe, and that of a cow in heat, or whose calf is dead or absent from her,

* The *sélu* is the cordia myxa.

9. That of any forest-beast, except the buffalo, the milk of a woman, and any thing naturally sweet but acidulated, must all be carefully shunned :

10. But among such acids, buttermilk may be swallowed, and every preparation of buttermilk, and all acids extracted from pure flowers, roots, or fruit *not cut with iron.*

11. Let every twice-born man avoid carnivorous birds, and such as live in towns, and quadrupeds with uncloven hoofs, except those allowed by the *Véda,* and the bird called *tittibha ;**

12. The sparrow, the water-bird *plava,*† the phenicopteros, the *chacraváca,* the breed of the town-cock, the *sárasa,* the *rajjùvála,* the woodpecker, and the parrot, male and female ;

13. Birds, that strike with their beaks, webfooted birds, the *cóyashti,*‡ those, who wound with strong talons, and those, who dive to devour fish ; let him avoid meat kept at a slaughter-house, and dried meat,

14. The heron, the raven, the *c'hanjana,* all amphibious fish-eaters, tame hogs, and fish of every sort, *but those expressly permitted.*§

* The *tittibha* is the Parra jacana or goensis.

† The *plava,* is both the diver and a sort of duck, (*Wilson*) ; and Mr. Wilkins considers it the same as the plover.

The *chacraváca* is the ruddy goose, familiarly known in India by the name of Bráhmany duck or goose (Anas casarca).

The *sárasa* is the Indian crane.

The *rajjuvála* is not found in the dictionaries.

The *dátyúha* which Sir William Jones has translated "woodpecker," is rendered "a gallinule" by Mr. Colebrooke in the Amera Cósha, to which Mr. Wilson adds in his Dictionary, "the *chátaca,* a sort of cuckoo." The *chátaca* is specified by Mr. Colebrooke to be the cuculus melano leucus.

It is worthy of remark, that the *sáricá,* which Sir William Jones renders female parrot, is actually a species of jay (gracula religiosa). By a similar connexion, the *sáricá* is fixed upon as a suitable mate for the parrot in the Bengálí "Tales of a Parrot." Are we here to suppose, for the purpose of reconciling this apparent inconsistency, that the word *sáricá* is familiarly applied to the female parrot, though unnoticed in such a sense by the dictionaries?

‡ The *cóyashti* is the lapwing.

§ Sir William Jones has omitted to render the *baláca,* which should have been inserted between "the heron, the raven," and which Mr. Wilson renders "a sort of crane."

The word which Sir William Jones writes *c'hanjana,* as it is given in

15. He, who eats the flesh of any animal, is called the eater of that animal itself; and a fish-eater is an eater of all flesh ; from fish, therefore, he must diligently abstain :

16. Yet the two fish, called *pát'hína** and *róhita,* may be eaten *by the guests,* when offered at a repast in honour of the gods or the manes; and so may the *rájíva,* the *sinhatunda,* and the *sasalca* of every species.

17. Let him not eat the flesh of any solitary animals, nor of unknown beasts or birds, though by general words declared eatable, nor of any creature with five claws;

18. The hedgehog and porcupine, the lizard *gódhá,*† the

the comment, is spelt *c'hanjarítaca* in the text. Neither the one nor the other is found in the dictionaries.

* The *pát'hína* is the sheat-fish (Silurus pelorius. Buchannon MSS.).
The *róhita* is familiarly known as the róhi-fish (cyprinus denticulatus).
The *rájíva* is a large fish (cyprinus niloticus. *Buchannon.*)
The *sinhatunda* (lion-faced) is not noticed in the dictionaries.
The *sasalká* is likewise unmentioned in the dictionaries; but CULLÚCA in his comment on the *Mahásalka*, Chap. III. v. 272, identifies these fish with one another: it is therefore the shrimp or prawn.

† I am happy to be able to quote the words of an eminent orientalist, as explanatory of the proper import of the passage "the lizard *gódhá*, the *gandaca*." The first of which, namely, "the *gódhá*, not being the lizard or iguana."

"With deference I wish to correct the translation of a verse of MENU relating to this subject. In his interlineary version, Sir William Jones has translated *chadga* rhinoceros, which is the undoubted meaning of the word. I can assign no reason for his substituting the Sanscrit word *gandaca*, which is another name for the rhinoceros. In the same version, Sir William Jones translated *gódhá*, iguana; I am led to understand by that term the *gódhica*, or lacerta gangetica, named *góhi* and *gariál* in the vulgar dialects of Bengal; the iguana is in Sanscrit called *gaud'héra, gaud'hara, gaud'heya,* and *gód'hicátmaja*. which literally signifies offspring of the lacerta gangetica. May I add, that this species of alligator has been ill-described by European naturalists; and through a strange mistake, has been called the open-bellied crocodile." *A Digest of Hindu Law, translated by H. T. Colebrooke, Esq.* Vol. III. p. 345, *note.*

The interlineary version alluded to by Mr. Colebrooke, was made by Sir William Jones in his own copy of the original text. The reason why Sir William Jones substituted *gandaca* for the original word *chadga*, arose, probably, from that word being adopted by CULLÚCA in his comment upon the text: a practice repeatedly followed by Sir William Jones; as the commentator has generally given those terms which are most sanctioned by familiar usage. It must be likewise borne in mind, that at the period when the translation was made, many of the commonest objects of natural history had not been identified with their Sanscrit designations.

The "*rabbit* and hare:" see note on Chap. III. v. 270.

gandaca, the tortoise, and the *rabbit or* hare, wise legislators declare lawful food among five-toed animals; and all quadrupeds, camels excepted, which have but one row of teeth.

19. The twice-born man, who has intentionally eaten a mushroom, the flesh of a tame hog, or a town-cock, a leek, or an onion, or garlick, is degraded immediately;

20. But having undesignedly tasted either of those six things, he must perform the penance *sántapana,** or the *chándráyana,* which anchorets practise; for other things he must fast a whole day.

21. One of those harsh penances, called *prájápatya,*† the twice-born man must perform annually, to purify him from the unknown taint of illicit food; but he must do particular penance for such food intentionally eaten.

22. BEASTS and birds of excellent sorts may be slain by *Bráhmens* for sacrifice, or for the sustenance of those, whom they are bound to support; since AGASTYA did this of old.

23. No doubt, in the primeval sacrifices by holy men, and in oblations by those of the priestly and military tribes, the flesh of such beasts and birds, as may be legally eaten, was presented to the deities.

24. That, which may be eaten or drunk, *when fresh,* without blame, may be swallowed, if touched with oil, though it has been kept a whole night; and so may the remains of clarified butter:

25. And every mess prepared with barley or wheat, or with dressed milk, may be eaten by the twice-born, although not sprinkled with oil.‡

26. Thus has the food, allowed or forbidden to a twice-born man, been comprehensively mentioned: I will now propound the *special* rules for eating and for avoiding flesh-meat.

27. He should taste meat, which has been hallowed for a

* The nature of the penance *sántapana* may be seen in v. 213, Chap. XI.
An explanation of the *chandráyana* penance will be found in v. 217 and 218, Chap. XI.

† The penance *prájápatya* is given in v. 212 of the eleventh chapter.

‡ The term *chirastit'ham* "stale," which qualifies every article enumerated, has not been rendered by the translator.

sacrifice with appropriated texts, and, *once only,* when a priest shall desire him, and when he is performing a legal act, or in danger of losing life.

28. For the sustenance of the vital spirit, BRAHMA′ created all this *animal and vegetable system;* and all, that is moveable or immoveable, that spirit devours.

29. Things fixed are eaten by creatures with locomotion; toothless animals, by animals with teeth; those without hands, by those to whom hands were given; and the timid, by the bold.

30. He, who eats *according to law,* commits no sin, even though every day he tastes the flesh of such animals, as may be lawfully tasted; since both animals, who may be eaten, and those who eat them, were equally created by BRAHMA′.

31. It is delivered as a rule of the gods, that meat must be swallowed only for the purpose of sacrifice; but it is a rule of gigantick demons, that it may be swallowed for any other purpose.

32. No sin is committed by him, who, having honoured the deities and the manes, eats flesh-meat, which he has bought, or which he has himself acquired, or which has been given him by another:

33. Let no twice-born man, who knows the law, and is not in urgent distress, eat flesh without observing this rule; for he, unable to save himself, will be devoured in the next world by those animals, whose flesh he has thus illegally swallowed.

34. The sin of him, who kills deer for gain, is not so heinous, with respect to *the punishment in* another life, as that of him, who eats flesh-meat in vain, *or not previously offered as a sacrifice:*

35. But the man, who, engaged *in holy rites* according to law, refuses to eat it, shall sink in another world, for twenty-one births, to the state of a beast.

36. Never let a priest eat the flesh of cattle unhallowed with *mantras,* but let him eat it, observing the primeval rule, when it has been hallowed with those texts of the *Véda.*

37. Should he have an earnest desire to taste flesh-meat, he may gratify his fancy by forming the image of some beast

with clarified butter thickened, or he may form it with dough; but never let him indulge a wish to kill any beast in vain:

38. As many hairs as grow on the beast, so many similar deaths shall the slayer of it, for his own satisfaction in this world, endure in the next from birth to birth.

39. By the self-existing in person were beasts created for sacrifice; and the sacrifice *was ordained* for the increase of this universe: the slaughterer, therefore, of beasts for sacrifice is in truth no slaughterer.

40. Gramineous plants, cattle, timber-trees, amphibious animals, and birds, which have been destroyed for the purpose of sacrifice, attain in the next world exalted births.

41. On a solemn offering to a guest, at a sacrifice, and in holy rites to the manes or to the gods, but on those occasions only, may cattle be slain: this law MENU enacted.

42. The twice-born man, who, knowing the meaning and principles of the *Véda*, slays cattle on the occasions mentioned, conveys both himself and those cattle to the summit of beatitude.

43. Let no twice-born man, whose mind is improved by learning, hurt animals without the sanction of scripture, even though in pressing distress, whether he live in his own house, or in that of his preceptor, or in a forest.

44. That hurt, which the scripture ordains, and which is done in this world of moveable and immoveable creatures, he must consider as no hurt at all; since law shone forth from *the light of* the scripture.

45. He, who injures animals, that are not injurious, from a wish to give himself pleasure, adds nothing to his own happiness, living or dead;

46. While he, who gives no creature willingly the pain of confinement or death, but seeks the good of all *sentient beings*, enjoys bliss without end.

47. He, who injures no animated creature, shall attain without hardship whatever he thinks of, whatever he strives for, whatever he fixes his mind on.

48. Flesh-meat cannot be procured without injury to animals, and the slaughter of animals obstructs the path to beatitude; from flesh-meat, therefore, let man abstain:

49. Attentively considering the formation of bodies, and the death or confinement of embodied spirits, let him abstain from eating flesh-meat of any kind.

50. The man, who forsakes not the law, and eats not flesh-meat, like a blood-thirsty demon, shall attain good will in this world, and shall not be afflicted with maladies.

51. He, who consents to the death of an animal; he, who kills it; he, who dissects it; he, who buys it; he, who sells it; he, who dresses it; he, who serves it up; and he, who makes it his food; these are eight principals in the slaughter.

52. Not a mortal exists more sinful than he, who, without an oblation to the manes or the gods, desires to enlarge his own flesh with the flesh of another creature.

53. The man, who performs annually, for a hundred years, an *aswamédha*, or *sacrifice of a horse*, and the man, who abstains from flesh-meat, enjoy for their virtue an equal reward.

54. By subsisting on pure fruit and on roots, and by eating such grains as are eaten by hermits, a man reaps not so high a reward, as by carefully abstaining from animal food.

55. "Me he (*mán sa*) will devour in the next world, whose flesh I eat in this life;" *thus should a flesh eater speak, and* thus the learned pronounce the true derivation of the word *mánsa*, or flesh.

56. In lawfully tasting meat, in drinking fermented liquor, in caressing women, there is no turpitude; for to such enjoyments men are naturally prone: but a virtuous abstinence from them produces a signal compensation.

57. Now will I promulgate the rules of purification for the dead, and the modes of purifying inanimate things, as the law prescribes them for the four classes in due order.

58. When a child has teethed, and when, after teething, his head has been shorn, and when he has been girt with his thread, and when, being full grown, he dies, all his kindred are impure: on the birth of a child the law is the same.

59. By a dead body, the *sapindas* are rendered impure in

the law for ten days, or until *the fourth day, when* the bones have been gathered up, or for three days, or for one day only, *according to the qualities of the deceased:*

60. Now the relation of the *sapindas,* or men connected by the funeral cake, ceases with the seventh person, *or in the sixth degree of ascent or descent,* and that of *samánódacas,* or those connected by an equal oblation of water, ends only, when their births and family-names are no longer known.

61. As this impurity, by reason of a dead kinsman, is ordained for *sapindas,* even thus it is ordained on a child-birth, for those who seek absolute purity.

62. Uncleanness, on account of the dead, is ordained for all; but on the birth of a child, for the mother and father: impurity, for ten days after the child-birth, affects the mother only; but the father, having bathed, becomes pure.

63. A man, having wasted his manhood, is purified by bathing; but, after begetting a child on a *parapúrvá,* he must meditate for three days on his impure state.*

64. In one day and night, added to nights three times three, the *sapindas* are purified after touching the corpse; but the *sámánódacas,* in three days.

65. A pupil in theology, having performed the ceremony of burning his deceased preceptor, becomes pure in ten nights: he is equal, in that case, to the *sapindas,* who carry out the dead.

66. In a number of nights, equal to the number of months from conception, a woman is purified on a miscarriage; and a woman in her courses is rendered pure by bathing, when her effusion of blood has quite stopped.†

* The translator has followed the comment rather than the text, in translating the last hemistich of this verse, "but after begetting a child on a *parapúrvá,* he must meditate three days on his impure state." The text is more general, being "after any seminal connexion, &c." For an explanation of *parapúrvá,* see v. 163 of this chapter.

† The translator, in rendering the word *rajas* by "blood," has made the legislator adopt a vulgar prejudice to which he was superiour. That word does not mean blood, but, according to the Hindus, the fructifying medium: they apply it equally to the pollen of a flower, or the monthly secretion of a female; both being indispensable to precede production, the one in all vegetable, and the other in the human and in some

67. For deceased male children, whose heads have not been shorn, purity is legally obtained in one night; but for those, on whom that ceremony has been performed, a purification of three nights is required.

68. A dead child under the age of two years, let his kinsmen carry out having decked him *with flowers, and bury him* in pure ground, without collecting his bones *at a future time:*

69. Let no ceremony with fire be performed for him, nor that of sprinkling water; but his kindred, having left him like a piece of wood in the forest, shall be unclean for three days.

70. For a child under the age of three years, the ceremony with water shall not be performed by his kindred; but, if his teeth be completely grown, or a name have been given him, they may perform it, or not, *at their option.*

71. A fellow student in theology being dead, three * days of impurity are ordained; and, on the birth of a *samánódaca,* purification is required for three nights.

72. The relations of *betrothed but* unmarried damsels, are in three days made pure; and, in as many, are their paternal kinsmen purified *after their marriage:*

73. Let them eat vegetable food without factitious, *that is, only with native,* salt; let them bathe for three days at intervals; let them taste no flesh-meat; and let them sleep apart on the ground.

74. This rule, which ordains impurity by reason of the dead, relates to the case of one dying near his kinsmen; but, in the case of one dying at a distance, the following rule must be observed by those, who share the same cake, and by those, who share only the same water:

75. The man, who hears that a kinsman is dead in a distant country, becomes unclean, if ten days after the death have not passed, for the remainder of those ten days only;

animal bodies. One of the terms by which this appearance is known in Sanscrit, *viz. pushpa* a flower, will strikingly support the idea of an ancient connexion between the popular opinions of the Gothick and Hindu nations.

* Every manuscript I have been enabled to consult reads " one," and not " three days of impurity."

76. But, if the ten days have elapsed, he is impure for three nights, and, if a year have expired, he is purified merely by touching water.

77. If, after the lapse of ten days, he know the death of a kinsman, or the birth of a male child, he must purify himself by bathing together with his clothes.

78. Should a child, whose teeth are not grown, or should a *samánódaca,* die in a distant region, the kinsman, having bathed with his apparel, becomes immediately pure.

79. If, during the ten days, another death or another birth intervene, a *Bráhmen* remains impure, only till those ten days have elapsed.

80. A spiritual teacher being dead, the sages declare his pupil impure for three days; but for a day and a night, if the son or wife of the teacher be deceased: such is the sacred ordinance.

81. For a reader of the whole *Véda,* who dwells in the same house, a man is unclean three nights; but for a maternal uncle, a pupil, an officiating priest, and a distant kinsman, only one night winged *with two days.*

82. On the death of a military king, in whose dominion he lives, *his impurity lasts* while the sun or the stars give light; but *it lasts* a whole day, on the death of a priest, who has not read the whole *Véda,* or of a spiritual guide, who has read only part of it, with its *Angas.*

83. A man of the sacerdotal class becomes pure in ten days; of the warlike, in twelve; of the commercial, in fifteen; * of the servile, in a month.†

84. Let no man prolong the days of impurity; let him not intermit the ceremonies to be performed with holy fires: while he performs those rites, even though he be a *sapinda,* he is not impure.

85. He, who has touched a *Chandála,* a woman in her courses, an outcast for deadly sin, a new-born child, a

* See Note on Book V. verse 83.

† The evident order of progression would be sufficient to point out an errour in the number five. The MSS. all say fifteen, agreeably to which the text has been restored, as there is no doubt the errour is the effect of a mere oversight, perhaps of the printer. This is likewise the opinion of Mr. Colebrooke, *Hindu Digest,* Vol. II. p. 457.

corpse, or one who has touched a corpse, is made pure by bathing.

86. If, having sprinkled his mouth with water, and been long intent on his devotion, he see an unclean person, let him repeat, as well as he is able, the solar texts of the *Véda*, and those, which confer purity.

87. Should a *Bráhmen* touch a human bone moist with oil, he is purified by bathing; if it be not oily, by stroking a cow, or by looking at the sun, having sprinkled his mouth duly with water.

88. A student in theology shall not perform the ceremony of pouring water at obsequies, until he have completed his course of religious acts; but if, after the completion of them, he thus make an offering of water, he becomes pure in three nights.

89. For those, who discharge not their prescribed duties, for those, whose fathers were of a lower class than their mothers, for those, who wear a dress of religion unauthorized by the *Véda*, and for those, who *illegally* kill themselves, the ceremony of giving funeral water is forbidden by law;

90. And for women imitating such hereticks, as wear an unlawful dress, and for such women as live at their own pleasure, or have caused an abortion, or have stricken their husbands, or have drunk any spirituous liquor.

91. A student violates not the rules of his order, by carrying out, when dead, his own instructor in the *Védas*, who invested him with his holy cord, or his teacher of particular chapters, or his reverend expounder of their meaning, or his father, or his mother.

92. Let men carry out a dead *Súdra* by the southern gate of the town; but the twice-born, in due order, by the western, northern, and eastern gates.

93. No taint of impurity can light on kings or students in theology, *while employed in discharging their several duties*, nor on those who have actually begun a sacrifice; for the first are then placed on the seat of INDRA, and the others are always equally pure with the celestial spirit.

94. To a king, on the throne of magnanimity, the law ascribes instant purification, because his throne was raised

for the protection of his people and the supply of their nourishment:

95. It is the same with *the kinsmen of* those, who die in battle, after the king has been slain, or have been killed by lightning, or legally by the king himself, or in defence of a cow, or of a priest; and with all those, whom the king wishes to be pure.

96. The corporeal frame of a king is composed of particles from SO'MA, AGNI, SU'RYA, PAVANA, INDRA, CUVE'RA, VARUNA, and YAMA, the eight guardian deities of the world:

97. By those guardians of men in substance is the king pervaded, and he cannot by law be impure; since by those tutelar gods are the purity and impurity of mortals both caused and removed.

98. By a soldier, discharging the duties of his class, and slain in the field with brandished weapons, the highest sacrifice is, in that instant, complete; and so is his purification: this law is fixed.

99. A priest, having performed funeral rites, is purified by touching water; a soldier, by touching his horse or elephant, or his arms; a husbandman, by touching his goad, or the halter of his cattle; a servant, by touching his staff.

100. This mode of purifying *sapindas*, O chief of the twice-born, has been fully declared to you! learn now the purification required on the death of kinsmen less intimately connected.

101. A *Bráhmen*, having carried out a dead *Bráhmen*, though not a *sapinda*, with the affection of a kinsman, or any of those nearly related to him by his mother, becomes pure in three days;

102. But, if he taste the food offered by their *sapindas*, he is purified in ten days; and in one day, if he neither partake of their food, nor dwell in the same house.

103. If he voluntarily follow a corpse, whether of a paternal kinsman or of another, and afterwards bathe with his apparel, he is made pure by touching fire and tasting clarified butter.

104. Let no kinsman, whilst any of his own class are at hand, cause a deceased *Bráhmen* to be carried out by a

Súdra; since the funeral rite, polluted by the touch of a servile man, obstructs his passage to heaven.

105. Sacred learning, austere devotion, fire, holy aliment, earth, the mind, water, smearing with cow-dung, air, prescribed acts of religion, the sun, and time, are purifiers of imbodied spirits;

106. But of all pure things, purity in acquiring wealth, is pronounced the most excellent: since he, who gains wealth with clean hands, is truly pure; not he, who is purified merely with earth and water.

107. By forgiveness of injuries, the learned are purified; by liberality, those who have neglected their duty; by pious meditation, those who have secret faults; by devout austerity, those who best know the *Véda.*

108. By water and earth is purified what ought to be made pure; a river, by its current; a woman, whose thoughts have been impure, by her monthly discharge, and the chief of twice-born men, by fixing his mind wholly on God.

109. Bodies are cleansed by water; the mind is purified by truth; the vital spirit, by theology and devotion; the understanding, by clear knowledge.

110. Thus have you heard me declare the precise rules for purifying animal bodies: hear now the modes of restoring purity to various inanimate things.

111. Of brilliant metals, of gems, and of every thing made with stone, the purification, ordained by the wise, is with ashes, water, and earth.

112. A golden vessel, not smeared, is cleansed with water only; and every thing produced in water, *as coral, shells, or pearls,* and every stony substance, and a silver vessel not enchased.

113. From a junction of water and fire arose gold and silver; and they two, therefore, are best purified by the elements, whence they sprang.

114. Vessels of copper, iron, brass, pewter, tin and lead, may be fitly cleansed with ashes, with acids, or with water.

115. The purification ordained for all sorts of liquids, is by stirring them with *cusa*-grass; for cloths folded, by sprink-

ling them with hallowed water; for wooden utensils, by planing them.

116. For the sacrificial pots to hold clarified butter and juice of the moon-plant, by rubbing them with the hand, and washing them at the time of the sacrifice:

117. Implements to wash the rice, to contain the oblations, to cast them into the fire, to collect, winnow, and prepare the grain, must be purified with water made hot.

118. The purification by sprinkling is ordained for grain and cloths in large quantities; but to purify them in small parcels, *which a man may easily carry*, they must be washed.

119. Leathern utensils, and such as are made with cane, must generally be purified in the same manner with cloths; green vegetables, roots, and fruit, in the same manner with grain;

120. Silk and woollen stuff, with saline earths; blankets from *Népála*, with pounded *arishtas*, or *nimba* fruit; vests and long drawers, with the fruit of the *Vilva;* mantles of *cshumá*, with white mustard-seeds.

121. Utensils made of shells or of horn, of bones or of ivory, must be cleansed by him, who knows the law, as mantles of *cshumá* are purified, with the addition of cows' urine or of water.

122. Grass, firewood, and straw, are purified by sprinkling them with water; a house, by rubbing, brushing, and smearing with cow-dung; an earthen pot, by a second burning:

123. But an earthen pot which has been touched with any spirituous liquor, with urine, with ordure, with spittle, with pus, or with blood, cannot, even by another burning, be rendered pure.

124. Land is cleansed by five modes; by sweeping, by smearing with cow-dung, by sprinkling with cows' urine, by scraping, or by letting a cow pass a day and a night on it.

125. A thing nibbled by a bird, smelt at by a cow, shaken with a foot, sneezed on, or defiled by lice, is purified by earth scattered over it.

126. As long as the scent or moisture, caused by any impurity, remain on the thing soiled, so long must earth and water be repeatedly used in all purifications of things inanimate.

127. The gods declared three pure things peculiar to *Bráhmens;* what has been defiled without their knowledge; what, in cases of doubt, they sprinkle with water; and what they commend with their speech.

128. Waters are pure, as far as a cow goes to quench her thirst in them, if they flow over clean earth, and are sullied by no impurity, but have a good scent, colour, and taste.

129. The hand of an artist *employed in his art* is always pure; so is every vendible commodity, when exposed to sale; and that food is always clean, which a student in theology has begged and received: such is the sacred rule.

130. The mouth of a woman is constantly pure; a bird is pure on the fall of fruit, which he has pecked; a sucking animal, on the flowing of the milk; a dog, on his catching the deer:

131. The flesh of a wild beast slain by dogs, MENU pronounces pure; and that of an animal slain by other carnivorous creatures, or by men of the mixed class, who subsist by hunting.

132. All the cavities above the navel are pure, and all below it, unclean; so are all excretions, that fall from the body.

133. Gnats, clear drops from the mouth of a speaker, a shadow, a cow, a horse, sun-beams, dust, earth, air, and fire, must all be considered as clean, even when they touch *an unclean thing.*

134. For the cleansing of vessels, which have held ordure or urine, earth and water must be used, as long as they are needful; and the same for cleansing the twelve corporeal impurities.*

135. Oily exudations, seminal fluids, blood, dandruff,

* The injunction does not apply to *vessels* contaminated, as here mentioned, but to *persons* after performing any of the natural wants. Indeed, the latter part of the injunction clearly shews that *personal* purity was the object of the notice.

urine, feces, ear-wax, nail-parings, phlegm, tears, concretions on the eyes, and sweat, are the twelve impurities of the human frame.

136. By the man, who desires purity, one piece of earth *together with water* must be used for the conduit of urine, three for that of the feces; so, ten for one hand, *that is, the left;* then seven for both: *but, if necessary, more must be used.*

137. Such is the purification of married men; that of students must be double; that of hermits, triple; that of men wholly recluse, quadruple.

138. Let each man sprinkle the cavities of his body, and taste water in due form, when he has discharged urine or feces; when he is going to read the *Véda;* and, invariably, before he takes his food:

139. First, let him thrice taste water; then twice let him wipe his mouth, if he *be of a twice-born class, and* desire corporeal purity; but a woman or servile man may once respectively make that ablution.

140. *Súdras,* engaged in religious duties, must perform each month the ceremony of shaving their heads; their food must be the orts of *Bráhmens;* and their mode of purification, the same with that of a *Vaisya.*

141. Such drops of water, as fall from the mouth or any part of the body, render it not unclean; nor hairs of the beard, that enter the mouth; nor what adheres awhile to the teeth.

142. Drops, which trickle on the feet of a man holding water for others, are held equal to waters flowing over pure earth; by them he is not defiled.

143. He, who carries in any manner an inanimate burden, and is touched by any thing impure, is cleansed by making an ablution, without laying his burden down.

144. Having vomited or been purged, let him bathe and taste clarified butter, but, if he have eaten already, let him only perform an ablution: for him, who has been connected with a woman, bathing is ordained by law.

145. Having slumbered, having sneezed, having eaten, having spitten, having told untruths, having drunk water,

and going to read sacred books, let him, though pure, wash his mouth.

146. This perfect system of rules for purifying men of all classes, and for cleansing inanimate things, has been declared to you: hear now the laws concerning women.

147. By a girl, or by a young woman, or by a woman advanced in years, nothing must be done, even in her own dwelling place, according to her mere pleasure:

148. In childhood must a female be dependent on her father; in youth, on her husband; her lord being dead, on her sons; *if she have no sons, on the near kinsmen of her husband; if he left no kinsmen, on those of her father; if she have no paternal kinsmen, on the sovereign:* a woman must never seek independence.

149. Never let her wish to separate herself from her father, her husband, or her sons; for, by a separation from them, she exposes both families to contempt.

150. She must always live with a cheerful temper, with good management in the affairs of the house, with great care of the household furniture, and with a frugal hand in all her expences.

151. Him, to whom her father has given her, or her brother with the paternal assent, let her obsequiously honour, while he lives; and, when he dies, let her never neglect him.

152. The recitation of holy texts, and the sacrifice ordained by the lord of creatures, are used in marriages for the sake of procuring good fortune to brides; but the first gift, *or troth plighted,* by the husband, is the primary cause *and origin* of marital dominion.

153. When the husband has performed the nuptial rites with texts from the *Véda,* he gives bliss continually to his wife here below, both in season and out of season; and he will give her happiness in the next world.

154. Though inobservant of approved usages, or enamoured of another woman, or devoid of good qualities, yet a husband must constantly be revered as a god by a virtuous wife.

155. No sacrifice is allowed to women apart from their

husbands, no religious rite, no fasting: as far only as a wife honours her lord, so far she is exalted in heaven.

156. A faithful wife, who wishes to attain in heaven the mansion of her husband, must do nothing unkind to him, be he living or dead.

157. Let her emaciate her body, by living voluntarily on pure flowers, roots, and fruit; but let her not, when her lord is deceased, even pronounce the name of another man.

158. Let her continue till death forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practising the incomparable rules of virtue, which have been followed by such women, as were devoted to one only husband.

159. Many thousands of *Bráhmens*, having avoided sensuality from their early youth, and having left no issue in their families, have ascended, *nevertheless*, to heaven;

160. And, like those abstemious men, a virtuous wife ascends to heaven, though she have no child, if, after the decease of her lord, she devote herself to pious austerity:

161. But a widow, who, from a wish to bear children, slights her deceased husband *by marrying again*, brings disgrace on herself here below, and shall be excluded from the seat of her lord.

162. Issue, begotten on a woman by any other *than her husband*, is here declared to be no progeny of hers; no more than a child, begotten on the wife of another man, *belongs to the begetter:* nor is a second husband allowed, in any part of this code, to a virtuous woman.

163. She, who neglects her former (*púrva*) lord, though of a lower class, and takes another (*para*) of a higher, becomes despicable in this world, and is called *parapúrvá*, or *one who had a different husband before*.

164. A married woman, who violates the duty, which she owes to her lord, brings infamy on herself in this life, and, *in the next*, shall enter the womb of a shakal, or be afflicted with *elephantiasis, and other* diseases, which punish crimes;

165. While she, who slights not her lord, but keeps her mind, speech, and body, devoted to him, attains his heavenly mansion, and by good men is called *sádhwì*, or *virtuous*.

166. Yes; by this course of life it is, that woman, whose mind, speech, and body are kept in subjection, acquires high renown in this world, and, in the next, the same abode with her husband.

167. A twice-born man, versed in sacred ordinances, must burn, with hallowed fire and fit implements of sacrifice, his wife dying before him, if she was of his own class, and lived by these rules:

168. Having thus kindled sacred fires, and performed funeral rites to his wife, who died before him, he may again marry, and again light the nuptial fire.

169. Let him not cease to perform day by day, according to the preceding rules, the five great sacraments; and, having taken a lawful consort, let him dwell in his house during the second period of his life.

CHAPTER VI.

ON DEVOTION; OR ON THE THIRD AND FOURTH ORDERS.

1. HAVING thus remained in the order of a housekeeper, as the law ordains, let the twice-born man, who had before completed his studentship, dwell in a forest, his faith being firm and his organs wholly subdued.

2. When the father of a family, perceives his muscles become flaccid and his hair grey, and sees the child of his child, let him then seek refuge in a forest:

3. Abandoning all food eaten in towns, and all his household utensils, let him repair to the lonely wood, committing the care of his wife to her sons, or accompanied by her, *if she chuse to attend him.*

4. Let him take up his consecrated fire, and all his domestick implements of making oblations to it, and, departing from the town to the forest, let him dwell in it with complete power over his organs *of sense and of action.*

5. With many sorts of pure food, such as holy sages used to eat, with green herbs, roots, and fruit, let him perform the five great sacraments before mentioned, introducing them with due ceremonies.

6. Let him wear a black antelope's hide, or a vesture of bark; let him bathe evening and morning; let him suffer the hairs of his head, his beard, and his nails to grow continually.

7. From such food, as himself may eat, let him, to the utmost of his power, make offerings and give alms; and with presents of water, roots, and fruit, let him honour those who visit his hermitage.

8. Let him be constantly engaged in reading the *Véda;* patient of all extremities, universally benevolent, with a mind intent on the Supreme Being; a perpetual giver, but

no receiver of gifts; with tender affection for all animated bodies.

9. Let him, as the law directs, make oblations on the hearth with three sacred fires; not omitting in due time the ceremonies to be performed at the conjunction and opposition of the moon.

10. Let him also perform the sacrifice ordained in honour of the lunar constellations, make the prescribed offering of new grain, and solemnize holy rites every four months, and at the winter and summer solstices.

11. With pure grains, the food of ancient sages, growing in the vernal and autumnal seasons, and brought home by himself, let him severally make, as the law ordains, the oblations of cakes and boiled grain;

12. And, having presented to the gods, that purest oblation, which the wild woods produced, let him eat what remains, together with some native salt, which himself collected.

13. Let him eat green herbs, flowers, roots, and fruit, that grow on earth or in water, and the productions of pure trees, and oils formed in fruits.

14. Honey and flesh-meat he must avoid, and all sorts of mushrooms, the plant *bhústrĭna*, that named *sigruca*, and the fruit of the *sléshmátaca*.*

15. In the month *A'swina* let him cast away the food of sages, which he before had laid up, and his vesture, then become old, and his herbs, roots, and fruit.

16. Let him not eat the produce of ploughed land, though abandoned by any man, *who owns it*, nor fruit and roots produced in a town, even though hunger oppress him.

17. He may eat what is mellowed by fire, and he may eat what is ripened by time; and either let him break hard fruits with a stone, or let his teeth serve as a pestle.

18. Either let him pluck enough for a day, or let him

* The *b'hústrĭna* is a fragrant grass (andropogon schœnanthus).
The *sigruca* is a potherb not yet specified, and is not in the dictionaries. It is different from the *sigru*, a tree (morunga guilandina and hyperanthera).
The *sléshmátaca* appears to be the same mentioned by Mr. Wilson, under the form *slêshmâta*, a small tree (cordia myxa.)

gather enough for a month; or let him collect enough for six months, or lay up enough for a year.

19. Having procured food, as he is able, he may eat it at eve or in the morning; or he may take only every fourth, or every eighth, such regular meal;

20. Or, by the rules of the lunar penance, he may eat a mouthful less each day of the bright, and a mouthful more each day of the dark fortnight; or he may eat only once, at the close of each fortnight, a mess of boiled grains:

21. Or he may constantly live on flowers and roots, and on fruit matured by time, which has fallen spontaneously, strictly observing the laws ordained for hermits.

22. Let him slide backwards and forwards on the ground; or let him stand a whole day on tiptoe; or let him continue in motion rising and sitting alternately; but at sunrise, at noon, and at sunset, let him go to the waters and bathe.

23. In the hot season, let him sit exposed to five fires, *four blazing around him with the sun above;* in the rains, let him stand uncovered, *without even a mantle,* where the clouds pour *the heaviest* showers; in the cold season, let him wear humid vesture; and let him increase by degrees the austerity of his devotion:

24. Performing his ablution at the three *Savanas*, let him give satisfaction to the manes and to the gods; and, enduring harsher and harsher mortifications, let him dry up his bodily frame.

25. Then, having reposited his holy fires, as the law directs, in his mind, let him live without external fire, without a mansion, wholly silent, feeding on roots and fruit;

26. Not solicitous for the means of gratification, chaste as a student, sleeping on the bare earth, in the haunts of pious hermits, without one selfish affection, dwelling at the roots of trees.

27. From devout *Bráhmens* let him receive alms to support life, or from other housekeepers of twice-born classes, who dwell in the forest:

28. Or the hermit may bring food from a town, having received it in a basket of leaves, in his naked hand, or in a potsherd; and then let him swallow eight mouthfuls.

29. These and other rules must a *Bráhmen*, who retires to the woods, diligently practise; and, for the purpose of uniting his soul with the Divine Spirit, let him study the various *Upanishads* of scripture, or *chapters on the essence and attributes of God*,

30. Which have been studied with reverence by anchorites versed in theology, and by housekeepers, who dwelt afterwards in forests, for the sake of increasing their sublime knowledge and devotion, and for the purification of their bodies.

31. Or, *if he has any incurable disease*, let him advance in a straight path, towards the invincible *north eastern* point, feeding on water and air, till his mortal frame totally decay, and his soul become united with the Supreme.

32. A *Bráhmen*, having shuffled off his body by any of those modes, which great sages practised, and becoming void of sorrow and fear, rises to exaltation in the divine essence.

33. Having thus performed religious acts in a forest during the third portion of his life, let him become a *Sannyásí* for the fourth portion of it, abandoning all sensual affections, *and wholly reposing in the Supreme Spirit:*

34. The man, who has passed from order to order, has made oblations to fire *on his respective changes of state*, and has kept his members in subjection, but, tired with *so long a course of giving* alms and *making* offerings, thus reposes himself entirely on God, shall be raised after death to glory.

35. When he has paid his three debts *to the sages, the manes, and the gods*, let him apply his mind to final beatitude; but low shall He fall, who presumes to seek beatitude, without having discharged those debts:

36. After he has read the *Védas* in the form prescribed by law, has legally begotten a son, and has performed sacrifices to the best of his power, he *has paid his three debts, and* may then apply his heart to eternal bliss;

37. But if a *Bráhmen* have not read the *Véda*, if he have not begotten a son, and if he have not performed sacrifices, yet shall aim at final beatitude, he shall sink to a place of degradation.

38. Having performed the sacrifice of PRAJA'PATI, accompanied with a gift of all his wealth, *and* having reposited in his mind the sacrificial fires, a *Bráhmen* may proceed from his house, *that is, from the second order, or he may proceed even from the first,* to the condition of a *Sannyásí.*

39. Higher worlds are illuminated with the glory of that man, who passes from his house into the fourth order, giving exemption from fear to all animated beings, and pronouncing the *mystick words of* the *Véda:*

40. To the *Bráhmen,* by whom not even the smallest dread has been occasioned by sentient creatures, there can be no dread from any quarter whatever, when he obtains a release from his mortal body.

41. Departing from his house, taking with him pure implements, *his water-pot and staff,* keeping silence, unallured by desire of the objects near him, let him enter into the fourth order.

42. Alone let him constantly dwell, for the sake of his own felicity, observing the happiness of a solitary man, who neither forsakes, nor is forsaken, let him live without a companion.

43. Let him have no culinary fire, no domicil; let him, *when very hungry,* go to the town for food; let him patiently bear disease; let his mind be firm; let him study to know God, and fix his attention on God alone.

44. An earthen water-pot, the roots of large trees, coarse vesture, total solitude, equanimity toward all creatures, these are the characteristicks of a *Bráhmen* set free.

45. Let him not wish for death; let him not wish for life; let him expect his appointed time, as a hired servant expects his wages.

46. Let him advance his foot purified by looking down, *lest he touch any thing impure;* let him drink water purified by straining with a cloth, *lest he hurt some insect;* let him, *if he chuse to speak,* utter words purified by truth; let him by all means keep his heart purified.

47. Let him bear a reproachful speech with patience; let him speak reproachfully to no man; let him not, on account

of this *frail and feverish* body, engage in hostility with any one living.

48. With an angry man let him not in his turn be angry; abused, let him speak mildly; nor let him utter a word relating to vain illusory things and confined within seven gates, *the five organs of sense, the heart and the intellect; or this world, with three above and three below it.*

49. Delighted with meditating on the Supreme Spirit, sitting fixed in such meditation, without needing any thing earthly, without one sensual desire, without any companion but his own soul, let him live in this world seeking the bliss of the next.

50. Neither by explaining omens and prodigies, nor by skill in astrology and palmestry, nor by casuistry and expositions of holy texts, let him at any time gain his daily support.

51. Let him not go near a house frequented by hermits, or priests, or birds, or dogs, or other beggars.

52. His hair, nails, and beard being clipped, bearing with him a dish, a staff, and a water-pot, his whole mind being fixed on GOD, let him wander about continually, without giving pain to *animal or vegetable* beings.

53. His dishes must have no fracture, nor must they be made of bright metals: the purification ordained for them must be with water alone, like that of the vessels for a sacrifice.

54. A gourd, a wooden bowl, an earthen dish, or a basket made of reeds, has MENU, son of the Self-existing, declared fit vessels to receive the food of *Bráhmens* devoted to God.

55. Only once a day let him demand food; let him not habituate him to eat much at a time; for an anchorite, habituated to eat much, becomes inclined to sensual gratifications.

56. At the time when the smoke of kitchen fires has ceased, when the pestle lies motionless, when the burning charcoal is extinguished, when people have eaten, and when dishes are removed, *that is, late in the day,* let the *Sannyásí* always beg food.

57. For missing it, let him not be sorrowful; nor for gain-

ing it, let him be glad; let him care only for a sufficiency to support life, but let him not be anxious about his utensils.

58. Let him constantly disdain to receive food after humble reverence; since, by receiving it in consequence of an humble salutation, a *Sannyásí*, though free, becomes a captive.

59. By eating little, and by sitting in solitary places, let him restrain those organs which are naturally hurried away by sensual desires.

60. By the coercion of his members, by the absence of hate and affection, and by giving no pain to sentient creatures, he becomes fit for immortality.

61. Let him reflect on the transmigrations of men caused by their sinful deeds, on their downfal into a region of darkness, and their torments in the mansion of YAMA;

62. On their separation from those, whom they love, and their union with those, whom they hate, on their strength overpowered by old age, and their bodies racked with disease;

63. On their agonizing departure from this corporeal frame, their formation again in the womb, and the glidings of this vital spirit through ten thousand millions of uterine passages;

64. On the misery attached to embodied spirits from a violation of their duties, and the unperishable bliss attached to them from their abundant performance of all duties, religious and civil.

65. Let him reflect also, with exclusive application of mind, on the subtil indivisable essence of the Supreme Spirit, and its complete existence in all beings, whether extremely high or extremely low.

66. Equal-minded towards all creatures, in what order soever *he may have been* placed, let him fully discharge his duty, though he bear not the visible marks of his order: the visible mark, *or mere name*, of his order, is by no means an effective discharge of his duty;

67. As, although the fruit of the tree *cataca** purify

* The *cataca* is the clearing-nut plant (strychnos potatorum). One of the seeds of the plant being rubbed on the inside of the water-jars used in Bengal, occasions a precipitation of the earthy particles diffused through the water. *Wilson.*

water, yet a man cannot purify water by merely pronouncing the name of that fruit: *he must throw it, when pounded, into the jar.*

68. For the sake of preserving minute animals by night and by day, let him walk, though with pain to his own body, perpetually looking on the ground.

69. Let a *Sannyásí*, by way of expiation for *the death of* those creatures, which he may have destroyed unknowingly by day or by night, make six suppressions of his breath, having duly bathed:

70. Even three suppressions of breath, made according to the divine rule, accompanied with the triverbal phrase (*bhur bhuvah swah*) and the triliteral syllable (*óm*), may be considered as the highest devotion of a *Bráhmen;*

71. For as the dross and impurities of metallick ores are consumed by fire, thus are the sinful acts of the human organs consumed by suppressions of the breath, *while the mystick words, and the measures of the* gáyatrì *are revolved in the mind.*

72. Let him thus, by such suppressions of breath, burn away his offences; by reflecting intensely on the steps of ascent to beatitude, *let him destroy sin;* by coercing his members, let him restrain all sensual attachments; by meditating on *the intimate union of his own soul and* the divine essence, let him extinguish all qualities repugnant to the nature of God.

73. Let him observe, with extreme application of mind, the progress of this internal spirit through various bodies, high and low; *a progress* hard to be discerned by men with unimproved intellects.

74. He, who fully understands the perpetual omnipresence of God, can be led no more captive by criminal acts; but he, who possesses not that sublime knowledge, shall wander again through the world.

75. By injuring nothing animated, by subduing all sensual habits, by devout rites ordained in the *Véda*, and by rigorous mortifications, men obtain, even in this life, the state of beatitude.

76. A mansion with bones for its rafters and beams;

with nerves and tendons, for cords; with muscles and blood, for mortar; with skin, for its outward covering; filled with no sweet perfume, but loaded with feces and urine;

77. A mansion infested by age and by sorrow, the seat of malady, harassed with pains, haunted with the quality of darkness,* and incapable of standing long; such a mansion of the vital soul let its occupier always cheerfully quit:

78. As a tree leaves the bank of a river, *when it falls in*, or as a bird leaves the branch of a tree *at his pleasure*, thus he, who leaves his body *by necessity or by legal choice*, is delivered from the ravening shark, *or crocodile*, of the world.

79. Letting his good acts descend (by the law of the *Véda*), to those, who love him, and his evil deeds, to those, who hate him, he may attain, through devout meditation, the eternal spirit.

80. When, having well considered the nature and consequence of sin, he becomes averse from all sensual delights, he then attains bliss in this world; bliss, which shall endure after death.

81. Thus having gradually abandoned all earthly attachments, and indifferent to all pairs of opposite things, *as honour and dishonour, and the like*, he remains absorbed in the divine essence.

82. All, that has now been declared, is obtained by pious meditation; but no man, who is ignorant of the Supreme Spirit, can gather the fruit of mere ceremonial acts.

83. Let him constantly study that part of the *Véda*, which relates to sacrifice; that, which treats of subordinate deities; that, which reveals the nature of the Supreme God; and whatever is declared in the *Upanishads*.

84. This holy scripture is a sure refuge even for those, who understand not its meaning, and of course for those, who understand it; this *Véda* is a sure resource for those,

* Instead of "the quality of darkness," we should read "the quality of passion," as the original word is *rajaswalam*, "possessing the quality of passion."

who seek bliss above ; this *is a sure resource* for those, who seek bliss eternal.

85. That *Bráhmen,* who becomes a *Sannyásí* by this discipline, *announced* in due order, shakes off sin here below, and reaches the Most High.

86. This *general* law has been revealed to you for anchorites with subdued minds: now learn the particular discipline of those who become recluses according to the *Véda,* that is, *of anchorites in the first of the four degrees.*

87. The student, the married man, the hermit, and the anchorite, are the offspring, though in four orders, of married men keeping house;

88. And all, or even any, of those orders, assumed in their turn, according to the sacred ordinances, lead the *Bráhmen,* who acts by the preceding rules, to the highest mansion :

89. But of all those, the house-keeper, observing the regulations of the *Sruti* and *Smrĭti,* may be called the chief; since he supports the three *other orders.*

90. As all rivers, female and male, run to their determined place in the sea, thus men of all *other* orders, repair to their fixed place in the mansion of the house-keeper.

91. By *Bráhmens,* placed in these four orders, a ten-fold system of duties must ever be sedulously practised:

92. Content, returning good for evil, resistance to sensual appetites, abstinence from illicit gain, purification, coercion of the organs, knowledge of scripture, knowledge of the Supreme Spirit, veracity, and freedom from wrath, form their tenfold system of duties.

93. Such *Bráhmens,* as attentively read the ten precepts of duty, and after reading, carefully practise them, attain the most exalted condition.

94. A *Bráhmen* having practised, with organs under command, this ten-fold system of duty, having heard the *Upanishads* explained, as the law directs, and who has discharged his three debts, may become an anchorite, *in the house of his son,* according to the *Véda ;*

95. And, having abandoned all ceremonial acts, having expiated all his offences, having obtained a command over

his organs, and having perfectly understood the scripture, he may live at his ease, while the household affairs are conducted by his son.

96. When he thus has relinquished all forms, is intent on his own occupation, and free from every other desire, when, by devoting himself to GOD, he has effaced sin, he then attains the supreme path of glory.

97. THIS four-fold regulation for the sacerdotal class, has thus been made known to you; a just regulation, producing endless fruit after death: next, learn the duty of kings, *or the military class.*

CHAPTER VII.

ON GOVERNMENT, AND PUBLICK LAW; OR, ON THE MILITARY CLASS.

1. I WILL fully declare the duty of kings; *and show* how a ruler of men should conduct himself, in what manner he was framed, and how his ultimate reward *may be attained by him.*

2. By a man of the military class, who has received in due form the investiture which the *Véda* prescribes, great care must be used to maintain the whole *assemblage of laws.*

3. Since, if the world had no king, it would quake on all sides through fear, the ruler of this *universe,* therefore, created a king, for the maintenance of this system, both religious and civil,*

4. Forming him of eternal particles drawn from the substance of INDRA, PAVANA, YAMA, SU'RYA, of AGNI and VARUNA, of CHANDRA and CUVE'RA:

5. And since a king was composed of particles drawn from those chief guardian deities, he consequently surpasses all mortals in glory.

6. Like the sun, he burns eyes and hearts; nor can any human creature on earth even gaze on him.

7. He *is* fire and air; he, both sun and moon; he, the

* The learned translator seems to have understood the word *vidruté* as in the present tense of the middle voice, instead of being the perfect participle employed in the ablative absolute to agree with *lóké,* "on (this) world." Perhaps the following will be a more literal interpretation of the verse, which is curious, as shewing the ancient opinion of the Hindus as to the origin of sovereignty:

"Since this world, on being destitute of a king, quaked on all sides, therefore the Lord created a king, for the maintenance of this system (*locomotive and stationary*)."

god of criminal justice; he, the genius of wealth; he, the regent of waters; he, the lord of the firmament.

8. A king, even though a child, must not be treated lightly, from an idea that he is a mere mortal: no; he is a powerful divinity, who appears in a human shape.

9. Fire burns only one person, who carelessly goes too near it; but the fire of a king in wrath burns a whole family, with all their cattle and goods.

10. Fully considering the business before him, his own force, and the place, and the time, he assumes in succession all sorts of forms, for the sake of advancing justice.

11. He, sure, must be the perfect essence of majesty, by whose favour Abundance rises on her lotos, in whose valour dwells conquest; in whose anger, death.

12. He, who shews hatred of the king, through delusion of mind, will certainly perish; for speedily will the king apply his heart to that man's perdition.

13. LET the king prepare a just compensation for the good, and a just punishment for the bad: the rule of strict justice let him never transgress.

14. For his use BRAHMA′ formed in the beginning of time the genius of punishment, with a body of pure light, his own son, even abstract criminal justice, the protector of all created things:

15. Through fear of that genius, all sentient beings, whether fixed or locomotive, are fitted for natural enjoyments and swerve not from duty.

16. When the king, therefore, has fully considered place and time, and his own strength, and the divine ordinance, let him justly inflict punishment on all those, who act unjustly.

17. Punishment is an active ruler; he is the true manager of publick affairs; he is the dispenser of laws; and wise men call him the sponsor of all the four orders for the discharge of their several duties.

18. Punishment governs all mankind; punishment alone preserves them; punishment wakes, while their guards are asleep; the wise consider punishment as the perfection of justice.

19. When rightly and considerately inflicted, it makes all the people happy; but, inflicted without full consideration, it wholly destroys them all.

20. If the king were not, without indolence, to punish the guilty, the stronger would roast the weaker, like fish, on a spit; (*or, according to one reading,* the stronger would oppress the weaker, like fish in their element;)

21. The crow would peck the consecrated offering of rice; the dog would lick the clarified butter; ownership would remain with none; the lowest would overset the highest.

22. The whole race of men is kept in order by punishment; for a guiltless man is hard to be found: through fear of punishment, indeed, this universe is enabled to enjoy its blessings;

23. Deities and demons, heavenly songsters and cruel giants, birds and serpents, are made capable, by just correction, of their several enjoyments.

24. All classes would become corrupt; all barriers would be destroyed, there would be total confusion among men, if punishment either were not inflicted, or were inflicted unduly:

25. But where punishment, with a black hue and a red eye, advances to destroy sin, there, if the judge discern well, the people are undisturbed.

26. Holy sages consider as a fit dispenser of criminal justice, that king, who invariably speaks truth, who duly considers all cases, who understands the sacred books, who knows the distinctions of virtue, pleasure, and riches;

27. Such a king, if he justly inflict legal punishments, greatly increases those three means of happiness; but punishment itself shall destroy a king, who is crafty, voluptuous, and wrathful:

28. Criminal justice, the bright essence of majesty, and hard to be supported by men with unimproved minds, eradicates a king, who swerves from his duty, together with all his race:

29. Punishment shall overtake his castles, his territories, his peopled land, with all fixed and moveable things, that

exist on it: even the gods and the sages, *who lose their oblations*, will be afflicted and ascend to the sky.

30. Just punishment cannot be inflicted by an ignorant and covetous king, who has no wise and virtuous assistant, whose understanding has not been improved, and whose heart is addicted to sensuality:

31. By a king, wholly pure, faithful to his promise, observant of the scriptures, with good assistants and sound understanding, may punishment be justly inflicted.

32. Let him in his own domains act with justice, chastise foreign foes with rigour, behave without duplicity to his affectionate friends, and with lenity to *Bráhmens*.

33. Of a king thus disposed, even though he subsist by gleaning, *or, be his treasure ever so small*, the fame is far spread in the world, like a drop of oil in water;

34. But of a king with a contrary disposition, with passions unsubdued, *be his riches ever so great*, the fame is contracted in the world, like clarified butter in the same element.

35. A king was created as the protector of all those classes and orders, who, from the first to the last, discharge their several duties;

36. *And* all, that must be done by him, for the protection of his people, with the assistance of good ministers, I will declare to you, as the law directs, in due order.

37. LET the king, having risen at early dawn, respectfully attend to *Bráhmens*, learned in the three *Védas*, and in the science of ethicks; and by their decision let him abide.

38. Constantly must he show respect to *Bráhmens*, who have grown old, *both in years and in piety*, who know the scriptures, who *in body and mind* are pure; for he, who honours the aged, will perpetually be honoured even by cruel demons:

39. From them, though he may have acquired modest behaviour *by his own good sense and by study*, let him continually learn habits of modesty and composure; since a king, whose demeanour is humble and composed, never perishes.

40. While, through want of such humble virtue, many kings have perished with all their possessions, and, through

virtue united with modesty, even hermits have obtained kingdoms.

41. Through want of that virtuous humility VE'NA was utterly ruined, and so was the great king NAHUSHA, and SUDA'SA, and YAVANA, (*or, by a different reading,* and SUDA'MAN, the son of PIYAVANA) and SUMAC'HA, and NIMI;

42. But, by virtues with humble behaviour, PRIT'HU and MENU acquired sovereignty; CUVE'RA, wealth inexhaustible; and VISWA'MITRA, son of GA'DHI, the rank of a priest, *though born in the military class.*

43. From those, who know the three *Vêdas,* let him learn the triple doctrine comprised in them, together with the primeval science of criminal justice and sound policy, the system of logick and metaphysicks, and sublime theological truth: from the people he must learn the theory of *agriculture, commerce, and other* practical arts.

44. Day and night must he strenuously exert himself to gain complete victory over his own organs; since that king alone, whose organs are completely subdued, can keep his people firm to their duty.

45. With extreme care let him shun eighteen vices, ten proceeding from love of pleasure, eight springing from wrath, and all ending in misery;

46. Since a king, addicted to vices arising from love of pleasure, must lose both his wealth and his virtue, and, addicted to vices arising from anger, he may lose even his life *from the publick resentment.*

47. Hunting, gaming, sleeping by day, censuring rivals, excess with women, intoxication, singing, instrumental musick, dancing, and useless travel, are the ten-fold set of vices produced by love of pleasure:

48. Talebearing, violence, insidious wounding, envy, detraction, unjust seizure of property, reviling, and open assault are, in like manner, the eight-fold set of vices, to which anger gives birth.

49. A selfish inclination, which all wise men know to be the root of those two sets, let him suppress with diligence: both sets of vices are constantly produced by it.

50. Drinking, dice, women, and hunting, let him consider

as the four most pernicious in the set, which love of pleasure occasions:

51. Battery, defamation, and injury to property, let him always consider as the three most heinous in the set, which arises from wrath;

52. *And* in this seven-fold assemblage of vices, too frequently prevailing in all kingdoms, let an enlightened prince consider the first, and so forth in order, as the most abominable in each set.

53. On a comparison between death and vice, the learned pronounce vice the more dreadful; since, after death, a vicious man sinks to regions lower and lower, while a man, free from vice, reaches heaven.

54. THE king must appoint seven or eight ministers, who must be sworn *by touching a sacred image and the like;* men, whose ancestors were servants of kings; who are versed in the holy books; who are personally brave; who are skilled in the use of weapons; and whose lineage is noble.

55. Even an act easy in itself is hard sometimes to be performed by a single man, especially if he have no assistant near: how much harder *must it be to perform alone the business of* a kingdom with great revenues!

56. Let him perpetually consult with those ministers on peace and war, on his forces, on his revenues, on the protection of his people, and on the means of bestowing aptly the wealth which he has acquired:

57. Having ascertained the several opinions of his counsellors, *first* apart and *then* collectively, let him do what is most beneficial for him in publick affairs.

58. To one learned *Bráhmen,* distinguished among them all, let the king impart his momentous counsel, relating to six *principal* articles.

59. To him, with full confidence, let him intrust all transactions; and with him, having taken his final resolution, let him begin all his measures.

60. He must likewise appoint other officers; men of integrity, well informed, steady, habituated to gain wealth, by honourable means, and tried by experience.

61. As many officers as the due performance of his

business requires, not slothful men, *but active,* able, and well instructed, so many, and no more, let him appoint.

62. Among those let him employ the brave, the skilful, the well-born, and the honest, in his mines *of gold or gems,* and in other works *for amassing wealth;* but the pusillanimous, in the recesses of his palace.

63. Let him likewise appoint an ambassador versed in all the *Sástras,* who understands hints, external signs, and actions, *whose hand and heart are* pure, whose abilities are great, and whose birth was illustrious:

64. That royal ambassador is applauded most, who is generally beloved, pure within and without, dexterous in business, and endued with an excellent memory; who knows countries and times, is handsome, intrepid, and eloquent.

65. The forces of the realm must be immediately regulated by the commander in chief; the actual infliction of punishment, by the officers of criminal justice; the treasury and the country, by the king himselt; peace and war, by the ambassador;

66. For it is the ambassador alone who unites, who alone disjoins the united; that is, he transacts the business, by which kingdoms are at variance or in amity.

67. In the transaction of affairs let the ambassador comprehend the visible signs and hints, and discover the acts, of the foreign king, by the signs, hints, and acts of his confidential servants, and the measures, which that king wishes to take, by *the character and conduct of* his ministers.

68. Thus, having learned completely *from his ambassador* all the designs of the foreign prince, let the king so apply his vigilant care, that he bring no evil on himself.

69. Let him fix his abode in a district containing open champaigns; abounding with grain; inhabited chiefly by the virtuous; not infected by maladies; beautiful to the sight; surrounded by submissive *mountaineers, foresters, or other* neighbours; a country, in which the subjects may live at ease.

70. There let him reside in a capital, having, by way of a fortress, a desert *rather more than twenty miles round it,* or a fortress of earth, a fortress of water, or of trees, a fortress of armed men, or a fortress of mountains.

71. With all possible care let him secure a fortress of mountains; for, among those just mentioned, a fortress of mountains has many transcendent properties.

72. In the three first of them live wild beasts, vermin, and aquatick animals; in the three last, apes, men, and gods, in order as they are named:

73. As enemies hurt them not in the shelter of their several abodes, thus foes hurt not a king, who has taken refuge in his *durga*, or *place of difficult access*.

74. One bowman, placed on a wall, is a match in war for a hundred enemies; and a hundred, for ten thousand; therefore is a fort recommended.

75. Let that fort be supplied with weapons, with money, with grain, with beasts, with *Bráhmens*, with artificers, with engines, with grass, and with water.

76. In the centre of it let him raise his own palace, well finished in all its parts, completely defended, habitable in every season, brilliant *with white stucco*, surrounded with water and trees:

77. Having prepared it for his mansion, let him chuse a consort of the same class with himself, endued with all the bodily marks of excellence, born of an exalted race, captivating his heart, adorned with beauty and the best qualities.

78. He must appoint also a domestick priest, and retain a performer of sacrifices, who may solemnize the religious rites of his family, and those performed with three sacred fires.

79. Let the king make sacrifices, accompanied with gifts of many different kinds; and, for the full discharge of his duty, let him give the *Bráhmens* both *legal* enjoyments and *moderate* wealth.

80. His annual revenue he may receive from his whole dominion through his collectors; but let him in this world observe the divine ordinances; let him act as a father to his people.

81. Here and there he must appoint many sorts of intelligent supervisors, who may inspect all the acts of the officers engaged in his business.

82. To *Bráhmens* returned from the mansions of their preceptors, let him show due respect; for that is called a

precious unperishable gem, deposited by kings with the sacerdotal class:

83. It is a gem, which neither thieves or foes take away; which never perishes: kings must, therefore, deposit with *Bráhmens* that indestructible jewel *of respectful presents.*

84. An oblation in the mouth, *or hand,* of a *Bráhmen,* is far better than offerings to holy fire: it never drops; it never dries; it is never consumed.

85. A gift, to one not a *Bráhmen,* produces fruit of a middle standard; to one who calls himself a *Bráhmen,* double; to a well-read *Bráhmen,* a hundred thousand-fold; to one who has read all the *Védas,* infinite.

86. Of a gift made with faith in the *Sástra,* to a person highly deserving it, the giver shall indubitably gain the fruit after death, be the present small or great.

87. A KING, while he protects his people, being defied by an enemy of equal, greater, or less force, must by no means turn his face from battle, but must remember the duty of his military class:

88. Never to recede from combat, to protect the people, and to honour the priests, is the highest duty of kings and ensures their felicity.

89. Those rulers of the earth, who, desirous of defeating each other, exert their utmost strength in battle, without ever averting their faces, ascend after death directly to heaven.

90. LET no man, engaged in combat, smite his foe with *sharp* weapons concealed *in wood,* nor with arrows mischievously barbed, nor with poisoned arrows, nor with darts blazing with fire;

91. Nor let him *in a car or on horseback* strike his enemy alighted on the ground; nor an effeminate man; nor one, *who sues for life* with closed palms; nor one, whose hair is loose *and obstructs his sight;* nor one, who sits down *fatigued;* nor one, who says, "I am thy *captive;*"

92. Nor one, who sleeps; nor one, who has lost his coat of mail; nor one, who is naked; nor one, who is disarmed; nor one, who is a spectator, but not a combatant; nor one, who is fighting with another man:

93. Calling to mind the duty of honourable men, let him

never slay one, who has broken his weapon; nor one, who is afflicted *with private sorrow;* nor one, who has been grievously wounded; nor one, who is terrified; nor one, who turns his back.

94. The soldier, indeed, who, fearing and turning his back, happens to be slain by his foes in an engagement, shall take upon himself all the sin of his commander, whatever it be;

95. And the commander shall take to himself *the fruit of* all the good conduct, which the soldier, who turns his back and is killed, had previously stored up for a future life.

96. CARS, horses, elephants, umbrellas, habiliments, *except the jewels which may adorn them,* grain, cattle, women, all sorts of liquids and metals, except gold and silver, are the lawful prizes of the man who takes them in war;

97. But of those prizes, the captors must lay the most valuable before the king; such is the rule in the *Véda* concerning them; and the king should distribute among the whole army what has not been separately taken.

98. Thus has been declared the blameless primeval law for military men; from this law a king must never depart, when he attacks his foes in battle.

99. What he has not gained *from his foe,* let him strive to gain; what he has acquired, let him preserve with care; what he preserves, let him augment; and what he has augmented, let him bestow on the deserving.

100. This is the four-fold rule, which he must consider as the sure means of attaining the great object of man, *happiness;* and let him practise it fully without intermission, without indolence:

101. What he has not gained, let him strive to gain by military strength; what he has acquired, let him preserve by careful inspection; what he has preserved, let him augment by legal modes of increase; and what he has augmented, let him dispense with just liberality.

102. Let his troops be constantly exercised; his prowess, constantly displayed; what he ought to secure, constantly secured; and the weakness of his foe, constantly investigated.

103. By a king, whose forces are always ready for action, the whole world may be kept in awe; let him then, by a force always ready, make all creatures living his own.

104. Let him act on all occasions without guile, and never with insincerity; but, keeping himself ever on his guard, let him discover the fraud intended by his foe.

105. Let not his enemy discern his vulnerable part, but the vulnerable part of his enemy let him well discern: like a tortoise, let him draw in his members *under the shell of concealment,* and diligently let him repair any breach that may be made in it.

106. Like a heron, let him muse on gaining advantages; like a lion, let him put forth his strength; like a wolf, let him creep towards his prey; like a hare, let him double to secure his retreat.

107. When he thus has prepared himself for conquest, let him reduce all opposers to submission by negotiation and three other expedients, *namely, presents, division, and force of arms:*

108. If they cannot be restrained by the three first methods, then let him, firmly but gradually, bring them to subjection by military force.

109. Among those four modes of obtaining success, the wise prefer negotiation and war for the exaltation of kingdoms.

110. As a husbandman plucks up weeds and preserves his corn, thus let a king destroy his opponents and secure his people.

111. That king, who, through weakness of intellect, rashly oppresses his people, will, together with his family, be deprived* both of kingdom and life:

112. As, by the loss of bodily sustenance, the lives of animated beings are destroyed, thus, by the distress of kingdoms, are destroyed even the lives of kings.

113. For the sake of protecting his dominions, let the

* The words "ere long" should be read before "deprived," and the passage will then stand "(will) be ere long deprived both of his kingdom and life."

king perpetually observe the following rules; for, by protecting his dominions, he will increase his own happiness.

114. Let him place, as protectors of his realm, a company of guards, commanded by an approved officer, over two, three, five, or a hundred districts, *according to their extent.*

115. Let him appoint a lord of one town with its district, a lord of ten towns, a lord of twenty, a lord of a hundred, and a lord of a thousand.

116. Let the lord of one town certify of his own accord to the lord of ten towns any *robberies, tumults, or other* evils, which arise in his district, *and which he cannot suppress;* and the lord of ten, to the lord of twenty:

117. Then let the lord of twenty towns notify them to the lord of a hundred; and let the lord of a hundred transmit the information himself to the lord of a thousand townships.

118. Such food, drink, wood,* and other articles, as by law should be given each day to the king by the inhabitants of the township, let the lord of one town receive *as his perquisite:*

119. Let the lord of ten † towns enjoy the produce of two plough-lands, *or as much ground as can be tilled with two ploughs, each drawn by six bulls;* the lord of twenty, that of ten ‡ plough-lands; the lord of a hundred, that of a village or small town; the lord of a thousand, that of a large town.

120. The affairs of those *townships,* either jointly or separately transacted, let another minister of the king inspect; who should be well affected, and by no means remiss.

121. In every large town or city, let him appoint one

* Wherever wood is mentioned here, it is always for the purpose of fuel. The original word, *indhana,* means fuel: *i.e.,* wood, grass, &c. used for that purpose.

† There appears to be an errour here; for the text states that the "lord of twenty" is to have five *cula,* each *cula* consisting of two ploughed lands; therefore, as the lord of ten villages is to enjoy the produce of two ploughed lands, the lord of twenty villages should have that of *ten* and not five ploughed lands.

‡ See Note on Book VII. verse 119.

superintendent of all affairs, elevated in rank, formidable in power, distinguished as a planet among stars:

122. Let that governor from time to time survey all the rest in person, and, by means of his emissaries, let him perfectly know their conduct in their several districts.

123. Since the servants of the king, whom he has appointed guardians of districts, are generally knaves, who seize what belongs to other men, from such knaves let him defend his people:

124. Of such evil-minded servants, as wring wealth from subjects attending them on business, let the king confiscate all the possessions, and banish them from his realm.

125. For women, employed in the service of the king, and for his whole set of menial servants, let him daily provide a maintenance, in proportion to their station and to their work:

126. One *pana* of copper must be given *each day* as wages to the lowest servant, with two cloths *for apparel* every half-year, and a *dróna* of grain every month;* to

* Though the errour of the legislator, in assigning a specifick sum of money as a remuneration of service, is similar to what our own institutions afford many examples, yet it could not have been attended with so many disadvantages in India as with us, even had the specification been for other servants besides those of a king; firstly, because even for a long course of ages there seems to have been but little variation in the value of exchangeable produce; and secondly, because the wages were to be accompanied with a certain quantity of grain, apparently sufficient for the servant's maintenance.

One *pana* of copper is at present the equivalent of eighty *cowries*, and appears to be the original of the *fanam* now in current use at Madras. In Chap. VIII. v. 136, it is laid down that a *cárshápana* weighs eighty *racticás*. The *ractica* is the seed of the abrus precatorius, and weighs one grain five-sixteenths. The commentator considers the *cárshápana* and the *pana* as equal or equivalent to one another.

A *dróna* implies two different measures at the present day: its capacity is either one or four *ád'haca*. Now to determine which of these is meant we must be guided by the quantity. An *ád'haca* is a measure of grain, weighing seven pounds, eleven ounces avoirdupois. This would be clearly insufficient to sustain a man and his family during a month; and we must therefore suppose, if either of the present assignable quantities were those contemplated by the legislator, that it must be the larger one, containing thirty pounds, twelve ounces avoirdupois. As rice is mentioned in the text, it would support more persons than could be effected by any other grain; yet still it seems, if we have the right capacity of the *dróna*, but very poor pay to allow even the lowest servant of a king but little better than one pound of rice each day. I

the highest *must be given in wages the ratio of* six *to one.*

127. HAVING ascertained the rates of purchase and sale, *the length of* the way, the expences of food and of condiments, the charges of securing the goods carried, and the neat profits of trade, let the king oblige traders to pay taxes *on their saleable commodities:*

128. After full consideration, let a king so levy those taxes continually in his dominions, that both he and the merchant may receive a just compensation for their several acts.

129. As the leech, the suckling calf, and the bee, take their natural food by little and little, thus must a king draw from his dominions an annual revenue.

130. Of cattle, of gems, of gold and silver, *added each year to the capital stock,* a fiftieth part may be taken by the king; of grain, an eighth part, a sixth, or a twelfth, *according to the difference of the soil, and the labour necessary to cultivate it.*

131. He may also take a sixth part of the clear annual increase of trees, flesh-meat, honey, clarified butter, perfumes, medical substances, liquids, flowers, roots, and fruit,

132. Of gathered leaves, potherbs, grass, utensils made with leather or cane, earthen pots, and all things made of stone.

133. A king, even though dying *with want,* must not

cannot help thinking, therefore, that the *dróna* must have been larger in ancient times than either of the two measures already specified. It is likewise to be remembered, that the *pana* which was to accompany it, would hardly have been sufficient to have purchased the necessary condiments that must be eaten with the rice, to make it either wholesome or nutritious.

Since writing the foregoing remarks, I find that Mr. Carey in his *Bengálí* Dictionary, states that the *ád'haca* varies in capacity, but is considered to be equal to two *mans* in the neighbourhood of Calcutta. The bazar *man* being equal to eighty pounds, the *dróna* would consequently contain six hundred and forty pounds, if it consisted of four such *ád'haca;* and would be equivalent to about twenty-one pounds of rice per diem. In the Indian Algebra, translated by Mr. Colebrooke (page 3), it is stated that a *c'hárí* of *Magad'ha,* contains a solid cubick foot, and that a *dróna* is the fourth part of a *c'hárí.* All that can be learnt from these clashing authorities, is the uncertainty of the real capacity of the *dróna* in ancient times.

receive any tax from a *Bráhmen* learned in the *Védas*, nor suffer such a *Bráhmen*, residing in his territories, to be afflicted with hunger.

134. Of that king, in whose dominion a learned *Bráhmen* is afflicted with hunger, the whole kingdom will in a short time be afflicted with famine.

135. The king, having ascertained his knowledge of scripture and good morals, must allot him a suitable maintenance, and protect him on all sides, as a father protects his own son:

136. By that religious duty, which such a *Bráhmen* performs each day, under the full protection of the sovereign, the life, wealth, and dominions of his protector shall be greatly increased.

137. Let the king order a mere trifle to be paid, in the name of the annual tax, by the meaner inhabitants of his realm, who subsist by petty traffick:

138. By low handicraftsmen, artificers, and servile men, who support themselves by labour, the king may cause work to be done for a day in each month.

139. Let him not cut up his own root *by taking no revenue*, nor the root of other men by excess of covetousness; for, by cutting up his own root *and theirs*, he makes both himself and them wretched.

140. Let him, considering the *diversity of* cases, be *occasionally* sharp and *occasionally* mild, since a king, duly sharp and mild, becomes universally approved.

141. When tired of overlooking the affairs of men, let him assign the station *of such an inspector* to a principal minister, who well knows his duty, who is eminently learned, whose passions are subdued, and whose birth is exalted.

142. Thus must he protect his people, discharging, with great exertion and without languor, all those duties, which the law requires him to perform.

143. That monarch, whose subjects are carried from his kingdom by ruffians, while they call aloud for protection, and he barely looks on them with his ministers, is a dead, and not a living king.

144. The highest duty of a military man is the defence of

his people, and the king who receives the consideration just mentioned, is bound to discharge that duty.

145. HAVING risen in the last watch of the night, his body being pure, and his mind attentive, having made oblations to fire, and shown due respect to the priests, let him enter his hall *decently* splendid:

146. Standing there, let him gratify his subjects, before he dismiss them, *with kind looks and words;* and, having dismissed them all, let him take secret council with his principal ministers:

147. Ascending up the back of a mountain, or going privately to a terrace, a bower, a forest, or a lonely place, without listeners, let him consult with them unobserved.

148. That prince, of whose weighty secrets all assemblies of men are ignorant, shall attain dominion over the whole earth, though *at first* he possess no treasure.

149. At the time of consultation, let him remove the stupid, the dumb, the blind, and the deaf, talking birds, decrepit old men, women, and infidels, the diseased and the maimed;

150. Since those, who are disgraced *in this life by reason of sins formerly committed,* are apt to betray secret council; so are talking birds; and so above all are women: them he must, for that reason, diligently remove.

151. At noon or at midnight, when his fatigues have ceased, and his cares are dispersed, let him deliberate, with those ministers or alone, on virtue, lawful pleasure, and wealth;

152. On the means of reconciling the acquisition of them, when they oppose each other; on bestowing his daughters in marriage, and on preserving his sons *from evil by the best education;*

153. On sending ambassadors and messengers; on the probable events of his measures; on the behaviour *of his women* in the private apartment; and on the acts even of his own emissaries.

154. On the whole eight-fold business of kings, *relating to the revenue, to their expences, to the good or bad conduct of their ministers, to legislation in dubious cases, to civil*

and criminal justice and to expiations for crimes, let him reflect with the greatest attention; on his five sorts of spies, *or active and artful youths, degraded anchorets, distressed husbandmen, decayed merchants and fictitious penitents, whom he must pay and see privately;* on the good will or enmity of his neighbours, and on the state of the circumjacent countries.

155. On the conduct of that foreign prince, who has moderate strength *equal to one ordinary foe, but no match for two;* on the designs of him, who is willing and able to be a conqueror; on the condition of him, who is pacifick, *but a match even for the former unallied;* and on that of his *natural* enemy, let him sedulously meditate:

156. Those *four powers*, who, in one word, are the root or *principal strength* of the countries round him, added to eight others, *who are called the* branches, *and are as many degrees of allies and opponents variously distinguished*, are declared to be twelve chief objects *of the royal consideration;*

157. And five other heads, namely, their ministers, their territories, their strong holds, their treasuries, and their armies, being applied to each *of those twelve*, there are in all, *together with them*, seventy-two *foreign* objects, *to be carefully investigated.*

158. Let the king consider as hostile to him, the power immediately beyond him, and the favourer of that power; as amicable, the power next beyond his *natural* foe; and as neutral, the powers beyond that *circle:*

159. All those *powers* let him render subservient to his interest by mild measures and the other *three* expedients *before mentioned*, either separate or united, but principally by valour and policy *in arms and negotiation.*

160. Let him constantly deliberate on the six measures of a military prince, *namely*, waging war, and making peace or alliance, marching to battle, and sitting encamped, distributing his forces, and seeking the protection of a more powerful monarch:

161. Having considered the posture of affairs, let him occasionally apply to it the measure of sitting inactive, or of

marching to action, of peace, or of war, of dividing his force, or of seeking protection.

162. A king must know, that there are two sorts of alliance and war; two, of remaining encamped, and of marching; *two, likewise, of dividing his army*, and two of obtaining protection from another power.

163. The two sorts of alliance, attended with present and future advantages, are held to be those, when he acts in conjunction with his ally, and when he acts apart from him.

164. War is declared to be of two sorts, when it is waged for an injury to himself, and when it is waged for an injury to his ally, with a view to harass the enemy both in season and out of season.

165. Marching is of two sorts, when destructive acts are done at his own pleasure by himself apart, or when his ally attends him.

166. The two sorts of sitting encamped are, *first*, when he has been gradually weakened by the Divine Power, or by the operation of past sins, and, *secondly*, when, to favour his ally, he remains in his camp.

167. A detachment commanded by the king in person, and a detachment commanded by a general officer, for the purpose of carrying some important point, are declared by those who well know the six measures, to be the two modes dividing his army.

168. The two modes of seeking protection, that his powerful support may be proclaimed in all countries, are, *first*, when he wishes to be secure from apprehended injury, and *next*, when his enemies actually assail him.

169. When the king knows with certainty, that at some future time his force will be greatly augmented, and when, at the time present, he sustains little injury, let him then have recourse to peaceful measures;

170. But, when he sees all his subjects considerably firm in strength, and feels himself highly exalted in power, let him protect his dominions by war.

171. When he perfectly knows his own troops to be cheerful and well supplied, and those of his enemy quite the reverse, let him eagerly march against his foes;

172. But, when he finds himself weak in beasts of burden and in troops, let him then sit quiet in camp, using great attention, and pacifying his enemy by degrees.

173. When a king sees his foes stronger in all respects than himself, let him detach a part of his army, *to keep the enemy amused,* and secure his own safety *in an inaccessible place;*

174. But, when he is in all places assailable by the hostile troops, let him speedily seek the protection of a just and powerful monarch.

175. Him, who can keep in subjection both his own subjects and his foes, let him constantly sooth by all sorts of attentive respect, as he would honour his father, *natural or spiritual:*

176. But if, even in that situation, he find such protection a cause of evil, let him alone, though weak, wage vigorous war without fear.

177. By all these expedients let a politick prince act with such wisdom, that neither allies, neutral powers, nor foes, may gain over him any great advantage.

178. Perfectly let him consider the state of his kingdom, both *actually* present and *probably* future, with the good and bad parts of all his actions:

179. That king shall never be overcome by his enemies, who foresees the good and evil to ensue from his measures; who, on present occasions, takes his resolution, with prudent speed, and who weighs the various events of his past conduct.

180. Let him so arrange all his affairs, that no ally, neutral prince, or enemy, may obtain any advantage over him: this, in a few words, is the sum of political wisdom.

181. When the king begins his march against the domains of his foe, let him gradually advance, in the following manner, against the hostile metropolis.

182. Let him set out on his expedition in the fine month *Márgasírsha,* or about the month of *Phálguna* and *Chaitra,* according to *the number of* his forces, *that he may find autumnal or vernal crops in the country invaded by him:*

183. Even in other seasons, when he has a clear prospect

of victory, and when any disaster has befallen his foe, let him advance *with the greater part of his army.*

184. Having made a due arrangement of affairs in his own dominions, and a disposition fit for his enterprize, having provided all things necessary for his continuance in the foreign realm, and having seen all his spies dispatched with propriety,

185. Having secured the three sorts of ways, *over water, on plains, and through forests*, and placed his six-fold army, *elephants, cavalry, cars, infantry, officers*, and *attendants*, in complete military form, let him proceed by fit journeys toward the metropolis of his enemy:

186. Let him be much on his guard against every secret friend in the service of the hostile prince, and against emissaries, who go and return; for in such friends he may find very dangerous foes.

187. On his march let him form his troops, either like a staff, *or in an even column;* like a wain, *or in a wedge with the apex foremost;* like a boar, *or in a rhomb with the van and rear narrow and the centre broad;* like a *Macara* or *sea-monster, that is, in a double triangle with apices joined;* like a needle, *or in a long line;* or like the bird of VISHNU, *that is, in a rhomboid with the wings far extended:*

188. From whatever side he apprehends danger, to that side let him extend his troops; and let him always conceal himself in the midst of a squadron formed like a lotos-flower.

189. Let him cause his generals and the chief commander *under himself*, to act in all quarters; and from whatever side he perceives a design of attacking him, to that side let him turn his front.

190. On all sides let him station troops of soldiers, in whom he confides, distinguished by known *colours and other* marks; who are excellent both in sustaining a charge and in charging, who are fearless and incapable of desertion.

191. Let him at his pleasure order a few men to engage in a close phalanx, or a large number of warriours in loose ranks; and, having formed them in *a long line like* a

needle, or in *three divisions like* a thunderbolt, let him give orders for battle.

192. On a plain, let him fight with his armed cars and horses; on watery places, with manned boats and elephants; on ground full of trees and shrubs, with bows; on cleared ground, with swords and targets, and *other* weapons.

193. Men born in *Curucshétra,* near *Indraprest'ha,* in *Matsya,* or *Viráta,* in *Panchála,* or *Cányacubja,* and in *Súraséna,* in the district of *Mat'hurà,* let him cause to engage in the van; and men, *born in other countries,* who are tall and light.

194. Let him, when he has formed his troops in array, encourage them *with short animated speeches;* and then, let him try them completely: let him know, likewise, how his men severally exert themselves, while they charge the foe.

195. If he block up his enemy, let him sit encamped, and lay waste the hostile country; let him continually spoil the grass, water, and wood * of the adverse prince.

196. Pools, wells, and trenches let him destroy: let him harass the foe *by day,* and alarm him by night.

197. Let him secretly bring over to his party all such *leaders* as he can safely bring over; let him be informed of all that his enemies are doing; and, when a fortunate moment is offered by heaven, let him give battle, pushing on to conquest and abandoning fear:

198. Yet he should be more sedulous to reduce his enemy by negotiation, by well applied gifts, and creating divisions, using either all or some of those methods, than by hazarding at any time a decisive action,

199. Since victory or defeat are not surely foreseen on either side, when two armies engage in the field; let the king then, *if other expedients prevail,* avoid a pitched battle:

200. But, should there be no means of applying the three *before-mentioned* expedients, let him, after due preparation, fight so valiantly, that his enemy may be totally routed.

201. Having conquered a country, let him respect the

* By wood is meant fuel. See note on v. 118 of this chapter.

deities *adored in it,* and their virtuous priests; let him also distribute largesses *to the people,* and cause a full exemption from terrour to be loudly proclaimed.

202. When he has perfectly ascertained the conduct and intentions of all the vanquished, let him fix in that country *a prince of* the royal race, and give him precise instructions.

203. Let him establish the laws *of the conquered nation* as declared *in their books;* and let him gratify the new prince* with gems *and other precious gifts.*

204. The seizure of desirable property, though it cause hatred, and the donation of it, though it cause love, may be laudable or blameable on different occasions:

205. All this *conduct of human affairs* is considered as dependent on acts ascribed to the deity, and on acts ascribed to men; now the operations of the deity cannot be known by any intenseness of thought, but those of men may be clearly discovered.

206. OR the victor, considering an ally, territory, and wealth as the triple fruit of conquest, may form an alliance with the vanquished prince, and proceed in union with him, using diligent circumspection.

207. He should pay due attention to the prince, who supported his cause, and to any other prince in the circumjacent region, who checked that supporter, so that, both from a well-wisher and from an opponent, he may secure the fruit of his expedition.

208. By gaining wealth and territory a king acquires not so great an increase of strength, as by obtaining a firm ally, who, though weak, may hereafter be powerful.

209. That ally, though feeble, is highly estimable, who knows the whole extent of his duties, who gratefully remembers benefits, whose people are satisfied, *or, who has a gentle nature,* who loves his friend, and perseveres in his good resolutions.

210. Him have the sages declared an enemy hard to be

* The words "and his nobles" should have followed "the new prince;" we must therefore read, "and let him gratify the new prince and his nobles with gems, and other precious gifts."

subdued, who is eminently learned, of a noble race, personally brave, dexterous in management, liberal, grateful, and firm.

211. Good-nature, knowledge of mankind, valour, benignity of heart, and incessant liberality, are the assemblage of virtues, which adorn a neutral prince, *whose amity must be courted.*

212. Even a salubrious and fertile country, where cattle continually increase, let a king abandon without hesitation for the sake of preserving himself:

213. Against misfortune, let him preserve his wealth; at the expence of his wealth, let him preserve his wife; but let him at all events preserve himself, even at the hazard of his wife and his riches.

214. A wise prince, who finds every sort of calamity rushing violently upon him, should have recourse to all just expedients, united or separate:

215. Let him consider the business to be expedited, the expedients collectively, and himself who must apply them; and, taking refuge completely in those three, let him strenuously labour for his own prosperity.

216. HAVING consulted with his ministers, in the manner before prescribed, on all this *mass of publick affairs;* having used exercise *becoming a warriour,* and having bathed *after it,* let the king enter at noon his private apartment for the purpose of taking food.

217. There let him eat lawful aliment, prepared by servants attached to his person, who know the difference of times and are incapable of perfidy, after it has been proved innocent *by certain experiments,* and hallowed by texts of the *Véda* repulsive of poison.

218. Together with all his food let him swallow such medical substances as resist venom; and let him constantly wear with attention such gems, as are known to repel it.

219. Let his females, well tried and attentive, their dress and ornaments having been examined, *lest some weapon should be concealed in them,* do him humble service with fans, water, and perfumes:

220. Thus let him take diligent care, when he goes out in

a carriage or on horseback, when he lies down to rest, when he sits, when he takes food, when he bathes, anoints his body *with odorous essences*, and puts on all his habiliments.

221. After eating, let him divert himself with his women in the recesses of his palace; and, having idled a reasonable time, let him again think of publick affairs:

222. When he has dressed himself completely, let him once more review his armed men, with all their elephants, horses, and cars, their accoutrements, and weapons.

223. At sunset, having performed his religious duty, let him privately, but well armed, in his interior apartment, hear what has been done by his reporters and emissaries:

224. Then, having dismissed those informers, and returning to another secret chamber, let him go, attended by women, to the inmost recess of his mansion for the sake of his evening meal;

225. There, having a second time eaten a little, and having been recreated with musical strains, let him take rest early, and rise refreshed from his labour.

226. THIS perfect system of rules let a king, free from illness, observe; but, when really afflicted with disease, he may intrust all these affairs to his officers.

CHAPTER VIII.

ON JUDICATURE; AND ON LAW, PRIVATE AND CRIMINAL.

1. A KING, desirous of inspecting judicial proceedings, must enter his court of justice, composed and sedate in his demeanour, together with *Bráhmens* and counsellors, who know how to give him advice:

2. There, either sitting or standing, holding forth his right arm, without ostentation in his dress and ornaments, let him examine the affairs of litigant parties.

3. Each day let him decide causes, one after another, under the eighteen *principal* titles of law by arguments and rules drawn from local usages, and from written codes:

4. Of those *titles*, the first is debt, on loans for consumption; *the second*, deposits, and loans for use; *the third*, sale without ownership; *the fourth*, concerns among partners; *the fifth*, subtraction of what has been given;

5. *The sixth*, non-payment of wages or hire; *the seventh*, non-performance of agreements; *the eighth*, rescission of sale and purchase; *the ninth*, disputes between master and servant;

6. *The tenth*, contests on boundaries; *the eleventh and twelfth*, assault and slander; *the thirteenth*, larceny; *the fourteenth*, robbery and other violence; *the fifteenth*, adultery;

7. *The sixteenth*, altercation between man and wife, and their several duties; *the seventeenth*, the law of inheritance; *the eighteenth*, gaming with dice and with living creatures: these eighteen titles of law are settled as the ground-work of all judicial procedure in this world.

8. Among men, who contend for the most part on the titles just mentioned, *and on a few miscellaneous heads*

not comprised under them, let the king decide causes justly, observing primeval law.

9. But, when he cannot inspect such affairs in person, let him appoint, for the inspection of them, a *Bráhmen* of eminent learning:

10. Let that chief judge, accompanied by three assessors, fully consider all causes brought before the king; and, having entered the court-room, let him sit or stand, *but not move backwards and forwards.*

11. In whatever country three *Bráhmens,* particularly skilled in the three several *Védas,* sit together with the very learned *Bráhmen* appointed by the king, the wise call that *assembly* the court of BRAHMA′ *with four faces.*

12. WHEN justice, having been wounded by iniquity, approaches the court, and the judges extract not the dart, they also shall be wounded by it.

13. Either the court must not be entered *by judges, parties, and witnesses,* or law and truth must be openly declared: that man is criminal, who either says nothing, or says what is false or unjust.

14. Where justice is destroyed by iniquity, and truth by false evidence, the judges, who basely look on *without giving redress,* shall also be destroyed.

15. Justice being destroyed, will destroy; being preserved, will preserve: it must never, therefore, be violated. "Beware, *O judge,* lest justice, being overturned, overturn *both* us and thyself."

16. The divine form of justice is represented as *Vrĭsha,* or *a bull,* and the gods consider him, who violates justice, as a *Vrĭshala,* or one who slays a bull: let the king, therefore, and his judges beware of violating justice.

17. The only firm friend, who follows men even after death, is justice: all others are extinct with the body.

18. Of injustice *in decisions,* one quarter falls on the party in the cause; one quarter, on his witnesses; one quarter, on all the judges; and one quarter on the king;

19. But where he, who deserves condemnation, shall be condemned, the king is guiltless, and the judges free from blame: an evil deed shall recoil on him, who committed it.

20. A *Bráhmen* supported only by his class, and one barely reputed a *Bráhmen,* but without performing any sacerdotal acts, may, at the king's pleasure, interpret the law to him: *so may the two middle classes;* but a *Súdra,* in no case whatever.

21. Of that king, who stupidly looks on, while a *Súdra* decides causes, the kingdom itself shall be embarrassed, like a cow in deep mire.

22. The whole territory, which is inhabited by a number of *Súdras,* overwhelmed with atheists, and deprived of *Bráhmens,* must speedily perish, afflicted with dearth and disease.

23. Let the king *or his judge,* having seated himself on the bench, his body properly clothed and his mind attentively fixed, begin with doing reverence to the deities, who guard the world; and then let him enter on the trial of causes:

24. Understanding what is expedient or inexpedient, but considering only what is law or not law, let him examine all disputes between parties, in the order of their several classes.

25. By external signs let him see through the thoughts of men; by their voice, colour, countenance, limbs, eyes, and action:

26. From the limbs, the look, the motion of the body, the gesticulation, the speech, the changes of the eye and the face, are discovered the internal workings of the mind.

27. The property of a student and of an infant, whether by descent or otherwise, let the king hold in his custody, until the owner shall have ended his studentship, or until his infancy shall have ceased *in his sixteenth year.*

28. Equal care must be taken of barren women, of women without sons, *whose husbands have married other wives,* of women without kindred, or whose husbands are in distant places, of widows true to their lords, and of women afflicted with illness.

29. Such kinsmen, as, *by any pretence,* appropriate the fortunes of women during their lives, a just king must punish with the severity due to thieves.

30. Three years let the king detain the property of which

who was present at the place of the loan, or produce other evidence, *as a note and the like.*

53. The plaintiff, who calls a witness not present at the place, *where the contract was made,* or, having knowingly called him, disclaims him as his witness; or who perceives not, that he asserts confused and contradictory facts;

54. Or who, having stated what he designs to prove, varies afterwards from his case; or who, being questioned on a fact, which he had before admitted, refuses to acknowledge that very fact;

55. Or who has conversed with the witnesses in a place unfit for such conversation; or who declines answering a question properly put; or who departs from the court;

56. Or who, being ordered to speak, stands mute; or who proves not what he has alledged; or who knows not what is capable or incapable of proof; *such a plaintiff* shall fail in that suit.

57. Him who has said "I have witnesses," and, being told to produce them, produces them not, the judge must on this account declare nonsuited.

58. If the plaintiff delay to put in his plaint, he may, *according to the nature of the case,* be corporally punished or justly amerced; and, if the defendant plead not within three fortnights, he is by law condemned.

59. In the double of that sum, which the defendant falsely denies, or on which the complainant falsely declares, shall those two men, wilfully offending against justice, be fined by the king.

60. When a man has been brought into court by a suitor for property, and, being called on to answer, denies the debt, the cause should be decided by the *Bráhmen* who represents the king, having heard three witnesses *at least.*

61. WHAT sort of witnesses must be produced by creditors *and others* on the trial of causes, I will comprehensively declare; and in what manner those witnesses must give true evidence.

62. Married house-keepers, men with male issue, inhabitants of the same district, either of the military, the commercial, or the servile class, are competent, when called by

the party, to give their evidence; not any persons indiscriminately, except in *such* cases of urgency *as will soon be mentioned.*

63. Just and sensible men of all the *four* classes may be witnesses on trials; men, who know their whole duty, and are free from covetousness: but men of an opposite character the judge must reject.

64. Those must not be admitted who have a pecuniary interest; nor familiar friends; nor menial servants; nor enemies; nor men formerly perjured; nor persons grievously diseased; nor those, who have committed heinous offences.

65. The king cannot be made a witness; nor *cooks, and the like* mean artificers; nor publick dancers and singers; nor a priest of deep learning in scripture; nor a student in theology; nor an anchoret secluded from all worldly connexions;

66. Nor one wholly dependent; nor one of bad fame; nor one, who follows a cruel occupation; nor one, who acts openly against the law; nor a decrepit old man; nor a child; nor one man only, *unless he be distinguished for virtue;* nor a wretch of the lowest mixed class; nor one, who has lost the organs of sense;

67. Nor one extremely grieved; nor one intoxicated; nor a madman; nor one tormented with hunger or thirst; nor one oppressed by fatigue; nor one excited by lust; nor one inflamed by wrath; nor one who has been convicted of theft.

68. Women should regularly be witnesses for women; twice-born men, for men alike twice-born; good servants and mechanicks, for servants and mechanicks; and those of the lowest race, for those of the lowest;

69. But any person whatever, who has positive knowledge *of transactions* in the private apartments of a house, or in a forest, or at a time of death, may give evidence between the parties:

70. On failure *of witnesses duly qualified,* evidence may *in such cases* be given by a woman, by a child, or by an aged man, by a pupil, by a kinsman, by a slave, or by a hired servant;

71. Yet of children, of old men, and of the diseased, who are all apt to speak untruly, the judge must consider the testimony as weak; and *much more,* that of men with disordered minds:

72. In all cases of violence, of theft and adultery, of defamation and assault, he must not examine too strictly the competence of witnesses.

73. If there be contradictory evidence, let the king decide by the plurality of credible witnesses; if equality in number, by superiority in virtue; if parity in virtue, by the testimony of such twice-born men, as have best performed publick duties.

74. Evidence of what has been seen, or of what has been heard, *as slander and the like,* given by those who saw or heard it, is admissible; and a witness, who speaks truth in those cases, neither deviates from virtue nor loses his wealth:

75. But a witness, who knowingly says any thing before an assembly of good men, different from what he had seen or heard, shall fall headlong, after death, into a region of horrour, and be debarred from heaven.

76. When a man sees or hears any thing, without being then called upon to attest it, yet, if he be *afterwards* examined as a witness, he must declare it, exactly as *it was* seen, *and* as *it was* heard.

77. One man, untainted with covetousness *and other vices,* may *in some cases* be the sole witness, and will have more weight than many women,* because female understandings are apt to waver; or than many other men, who have been tarnished with crimes.

78. What witnesses declare naturally, *or without bias,* must be received on trials; but what they improperly say, from some unnatural bent, is inapplicable to the purposes of justice.

79. THE witnesses being assembled in the middle of the court-room, in the presence of the plaintiff and the defendant,

* The words "even" and "pure" are omitted here; and the passage will accordingly read, "and will have more weight than even many pure women."

let the judge examine them, after having addressed them *all together* in the following manner:

80. "What ye know to have been transacted in the matter before us, between the parties reciprocally, declare at large and with truth; for your evidence in this cause is required."

81. A witness, who gives testimony with truth, shall attain exalted seats of beatitude above, and the highest fame here below: such testimony is revered by BRAHMA' himself;

82. The witness who speaks falsely, shall be fast bound *under water*, in the *snaky* cords of VARUNA, and be wholly deprived of power *to escape torment* during a hundred transmigrations: let mankind, therefore, give no false testimony.

83. By truth is a witness cleared from sin; by truth is justice advanced: truth must, therefore, be spoken by witnesses of every class.

84. The soul itself is its own witness; the soul itself is its own refuge; offend not thy conscious soul, the supreme internal witness of men!

85. The sinful have said in their hearts: "None sees us." Yes; the gods distinctly see them; and so does the spirit within their breasts.

86. The guardian deities of the firmament, of the earth, of the waters, of the human heart, of the moon, of the sun, and of fire, of punishment after death, of the winds, of night, of both twilights, and of justice, perfectly know the state of all spirits clothed with bodies.

87. In the forenoon let the judge, being purified, severally call on the twice-born, being purified also, to declare the truth, in the presence of *some image, a symbol* of the divinity, and of *Bráhmens*, while the witnesses turn their faces either to the north or to the east.

88. To a *Bráhmen* he must begin with saying, "Declare;" to a *Cshatriya*, with saying, "Declare the truth;" to a *Vaisya*, with *comparing perjury to the crime of stealing* kine, grain, or gold; to a *Súdra*, with comparing it *in some or all of the following sentences*, to every crime *that men can commit*.

89. "WHATEVER places of torture have been prepared for

the slayer of a priest, for the murderer of a woman or of a child, for the injurer of a friend, and for an ungrateful man, those places are ordained for a witness who gives false evidence.

90. "The fruit of every virtuous act, which thou hast done, O good man, since thy birth, shall depart from thee to dogs, if thou deviate in speech from the truth.

91. "O friend to virtue, that supreme spirit, which thou believest one and the same with thyself, resides in thy bosom perpetually, and is an all-knowing inspector of thy goodness or of thy wickedness.

92. "If thou beest not at variance, *by speaking falsely*, with YAMA, or the subduer of all: with VAIVASWATA, or the punisher, with that great divinity who dwells in thy breast, go not *on a pilgrimage* to the river *Gangà*, nor to the plains of CURU, *for thou hast no need of expiation.*

93. "Naked and shorn, tormented with hunger and thirst, and deprived of sight, shall the man, who gives false evidence, go with a potsherd to beg food at the door of his enemy.

94. "Headlong, in utter darkness, shall the impious wretch tumble into hell, who, being interrogated in a judicial inquiry, answers one question falsely.

95. "He, who in a court of justice gives an imperfect account of any transaction, or asserts a fact of which he was no eye-witness, shall receive pain *instead of pleasure*, and resemble a man, who eats fish *with eagerness*, and swallows the sharp bones.

96. "The gods are acquainted with no better mortal in this world, than the man, of whom the intelligent spirit, which pervades his body, has no distrust, when he prepares to give evidence.

97. "Hear, honest man, from a just enumeration in order, how many kinsmen, in evidence of different sorts, a false witness kills, *or incurs the guilt of killing:*

98. "He kills five by false testimony concerning cattle in general; he kills ten by false testimony concerning kine; he kills a hundred by false evidence concerning horses; and a thousand by false evidence concerning the human race:

99. "By speaking falsely in a cause concerning gold, he

kills the born and the unborn; by speaking falsely concerning land, he kills every thing *animated;* beware then of speaking falsely in a cause concerning land!

100. "The sages have held false evidence concerning water, and the possession or enjoyment of women, equal to false evidence concerning land; and it is equally criminal in causes concerning *pearls and other* precious things formed in water, and concerning all things made of stone.

101. "Marking well all the murders which are comprehended in the crime of perjury, declare thou the whole truth with precision, as *it was* heard, *and* as *it was* seen by thee."

102. *Bráhmens,* who tend herds of cattle, who trade, who practise mechanical arts, who profess dancing and singing, who are hired servants or usurers, let the judge exhort and examine as if they were *Súdras.*

103. In some cases, a giver of false evidence from a pious motive, even though he know the truth, shall not lose a seat in heaven: such evidence wise men call the speech of the gods.

104. Whenever the death of a man, *who had not been a grievous offender,* either of the servile, the commercial, the military, or the sacerdotal class, would be occasioned by true evidence, *from the known rigour of the king, even though the fault arose from inadvertence or errour,* falsehood may be spoken: it is even preferable to truth.

105. Such *witnesses* must offer, as oblations to SARASWATI′, cakes of rice and milk addressed to the goddess of speech; and thus will they fully expiate that venial sin of benevolent falsehood:

106. Or such a *witness* may pour clarified butter into the holy fire, according to the sacred rule, hallowing it with the texts called *cúshmándá,* or with those which relate to VARUNA, beginning with *ud;* or with the three texts appropriated to the water-gods.

107. A MAN who labours not under illness, yet comes not to give evidence in cases of loans and the like, within three fortnights *after due summons,* shall take upon himself the whole debt, and pay a tenth part of it as a fine *to the king.*

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108. The witness, who has given evidence, and to whom, within seven days after, *a misfortune* happens *from* disease, fire, or the death of a kinsman, shall be condemned to pay the debt and a fine.

109. IN cases, where no witness can be had, between two parties opposing each other, the judge may acquire a knowledge of the truth by the oath of the parties; *or* if he cannot *otherwise* perfectly ascertain it.

110. By the *seven* great *Rĭshis*, and by the deities themselves, have oaths been taken, for the purpose of judicial proof; and even VASISHT'HA, *being accused by* VISWA'MITRA *of murder*, took an oath before the *king* SUDA'MAN, son of PIYAVANA.

111. Let no man of sense take an oath in vain, *that is, not in a court of justice*, on a trifling occasion; for the man, who takes an oath in vain, shall be punished in this life and in the next:

112. To women, however, at a time of dalliance, or on a proposal of marriage, in the case of grass or fruit eaten by a cow, of wood taken for a sacrifice, or of a promise made for the preservation of a *Bráhmen*, it is no deadly sin to take a light oath.

113. Let the judge cause a priest to swear by his veracity; a soldier, by his horse, or elephant, and his weapons; a merchant, by his kine, grain, and gold; a mechanick or servile man, by *imprecating on his own head, if he speak falsely*, all possible crimes;

114. Or, *on great occasions*, let him cause the party to hold fire, or to dive under water, or severally to touch the heads of his children and wife:

115. He, whom the blazing fire burns not, whom the water soon forces not up, or who meets with no speedy misfortune, must be held veracious in his testimony on oath.

116. Of the sage VATSA, whom his younger *half*-brother formerly attacked, *as the son of a servile woman*, the fire, which pervades the world, burned not even a hair, by reason of his perfect veracity.

117. WHENEVER false evidence has been given in any suit,

the king must reverse the judgment; and whatever has been done, must be considered as undone.

118. Evidence, given from covetousness, from distraction of mind, from terrour, from friendship, from lust, from wrath, from ignorance, and from inattention, must be held invalid.

119. THE distinctions of punishment for a false witness, from either of those motives, I will propound fully and in order:

120. If he speak falsely through covetousness, he shall be fined a thousand *panas*; if through distraction of mind, *two hundred and fifty*, or the lowest amercement; if through terrour, two mean amercements; if through friendship, four times the lowest;

121. If through lust, ten times the lowest amercement; if through wrath, three times the next, *or middlemost;* if through ignorance, two hundred complete; if through inattention, a hundred only.

122. Learned men have specified these punishments, *which were* ordained by sage legislators for perjured witnesses, with a view to prevent a failure of justice and to restrain iniquity.

123. Let a just prince banish men of the three *lower* classes, if they give false evidence, having first levied the fine; but a *Bráhmen* let him only banish.

124. MENU, son of the Self-existent, has named ten places of punishment, which are appropriated to the three *lower* classes; but a *Bráhmen* must depart from the realm unhurt *in any one of them:*

125. The part of generation, the belly, the tongue, the two hands, and, fifthly, the two feet, the eye, the nose, both ears, the property, and, *in a capital case,* the whole body.

126. Let the king, having considered and ascertained the frequency of a similar offence, the place and time, the ability of the criminal *to pay or suffer,* and the crime itself, cause punishment to fall on those alone, who deserve it.

127. Unjust punishment destroys reputation during life, and fame after death; it even obstructs, in the next life, the

path to heaven: unjust punishment, therefore, let the king by all means avoid.

128. A king, who inflicts punishment on such as deserve it not, and inflicts no punishment on such as deserve it, brings infamy on himself, while he lives, and shall sink, when he dies, to a region of torment.

129. First, let him punish by gentle admonition; afterwards, by harsh reproof; thirdly, by deprivation of property; after that, by corporal pain:

130. But, when even by corporal punishment he cannot restrain such offenders, let him apply to them all the four modes with rigour.

131. THOSE names of copper, silver, and gold weights, which are commonly used among men, for the purpose of worldly business, I will now comprehensively explain.

132. The very small mote, which may be discerned in a sun-beam passing through a lattice, is the least visible quantity, and men call it a *trasarẹnu:*

133. Eight of those *trasarénus* are supposed equal in weight to one minute poppy-seed; three of those seeds are equal to one black mustard-seed; and three of those last, to a white mustard-seed:

134. Six white mustard-seeds are equal to a middle-sized barley-corn; three such barley-corns to one *racticà*, or seed of the *Gunjà;* five *racticàs* of gold are one *másha*, and sixteen such *máshas*, one *suverna;*

135. Four *suvernas* make a *pala;* ten *palas*, a *dharana;* but two *racticàs* of silver, weighed together, are considered as one *máshaca;*

136. Sixteen of those *máshacas* are a silver *dharana*, or *purána;* but a *carsha*, or eighty *racticàs* of copper, is called a *pana* or *cárshápana.*

137. Ten *dharanas* of silver are known by the name of a *satamána;* and the weight of four *suvernas* has also the appellation of a *nishca.*

138. Now two hundred and fifty *panas* are declared to be the first *or lowest* amercement; five hundred of them are considered as the mean; and a thousand, as the highest.

139. A DEBT being admitted by the defendant, he must pay five in the hundred, *as a fine to the king;* but, if it be denied, *and proved,* twice as much: this law was enacted by MENU.

140. A LENDER of money may take, in addition to his capital, the interest allowed by VASISHT'HA, *that is,* an eightieth part of a hundred, *or one and a quarter,* by the month, *if he have a pledge;*

141. Or, *if he have no pledge,* he may take two in the hundred *by the month,* remembering the duty of good men: for, by *thus* taking two in the hundred, he becomes not a sinner for gain.

142. He may thus take *in proportion to the risk, and* in the direct order of the classes, two in the hundred *from a priest,* three *from a soldier,* four *from a merchant,* and five *from a mechanick or servile man,* but never more, as interest by the month.

143. If he take a beneficial pledge, *or a pledge to be used for his profit,* he must have no other interest on the loan; nor, after a great length of time, *or when the profits have amounted to the debt,* can he give or sell such a pledge, *though he may assign it in pledge to another.*

144. A pledge *to be kept only* must not be used by force, *that is, against consent:* the pawnee so using it must give up his whole interest, or must satisfy the pawner, *if it be spoiled or worn out,* by paying him the original price of it; otherwise, he commits a theft of the pawn.

145. Neither a pledge *without limit,* nor a deposit, are lost to the owner by lapse of time; they are both recoverable, though they have long remained *with the bailee.*

146. A milch cow, a camel, a riding-horse, *a bull or other beast,* which has been sent to be tamed for labour, and other things used with friendly assent, are not lost *by length of time to the owner.*

147. *In general,* whatever chattel the owner sees enjoyed by others for ten years, while, though present, he says nothing, that chattel he shall not recover:

148. If he be neither an idiot, nor an infant under the full age of fifteen years, and if the chattel be adversely possessed in a place where he may see it, his property

in it is extinct by law, and the adverse possessor shall keep it.

149. A pledge, a boundary of land, the property of an infant, a deposit either open or in a chest sealed, female slaves, the wealth of a king, and of a learned *Bráhmen*, are not lost in consequence of adverse enjoyment.

150. The fool, who secretly uses a pledge without, *though not against*, the assent of the owner, shall give up half of his interest, as a compensation for such use.

151. INTEREST on money, received at once, *not month by month, or day by day, as it ought*, must never be more than enough to double the debt, *that is, more than the amount of the principal paid at the same time:* on grain, on fruit, on wool or hair, on beasts of burden, *lent to be paid in the same kind of equal value*, it must not be more than enough to make the debt quintuple.

152. Stipulated interest beyond the legal rate, and different from the *preceding* rule, is invalid; and the wise call it an usurious way *of lending:* the lender is entitled *at most* to five in the hundred.

153. Let no lender *for a month, or for two or three months, at a certain interest*, receive *such* interest beyond the year; nor any interest, which is unapproved; nor interest upon interest *by previous agreement;* nor monthly interest exceeding in time the amount of the principal; nor interest exacted from a debtor, *as the price of the risk, when there is no publick danger or distress;* nor immoderate profits from a pledge to be used by way of interest.

154. He, who cannot pay the debt *at the fixed time*, and wishes to renew the contract, may renew it in writing, *with the creditor's assent*, if he pay all the interest then due;

155. But if, *by some unavoidable accident*, he cannot pay the whole interest, he may insert *as principal* in the renewed contract so much of the interest accrued as he ought to pay.

156. A lender at interest on *the risk of* safe carriage, who has agreed on the place and time, shall not receive such interest, if *by accident* the goods are not carried to the place, or within the time:*

* Considerable difficulty attends the interpretation of this verse. Sir William Jones renders *chacravridd'hi* "safe carriage." The word

157. Whatever interest, *or price of the risk,* shall be settled *between the parties,* by men well acquainted with sea-voyages or journies by land, with times and with places, such interest shall have legal force.

158. THE man, who becomes surety for the appearance of a debtor in this world, and produces him not, shall pay the debt out of his own property;

159. But money, due by a surety, or idly promised *to musicians and actresses,* or lost at play, or due for spirituous liquors, or what remains unpaid of a fine or toll, the son *of the surety or debtor* shall not *in general* be obliged to pay:

160. Such is the rule in cases of a surety for appearance *or good behaviour;* but if a surety for payment should die, the judge may compel even his heirs to discharge the debt.

161. On what account then is it, that, after the death of a surety other than for payment, the creditor may *in one case* demand the debt *of the heir,* all the affairs of the deceased being known and proved?

has been before used in these Institutes in the sense of compound interest, which is its usual import. Mr. Colebrooke, in his translation of the DIGEST, gives a gloss of CHANDÉSWARA as well as that of CULLÚCA: both are here subjoined.

"'Who has agreed on the place and time,' is thus expounded on the authority of CHANDÉSWARA: the debtor says, 'I will pay the debt at such a place, and at such a time;' and the creditor assents to that proposal. Such a creditor is a lender at wheel-interest (compound interest), having bargained for interest of that description. If he pass that place and time, if he do not go to that place at that time, the creditor shall not receive such interest, namely, wheel-interest: of course he must receive back the sum lent without interest. Hence, even should interest prescribed by the law be stipulated for a certain time and place, it shall not be received by the creditor if he do not attend at that place and time: for that small omission annuls legal interest.

"But CULLÚCA BHATTA expounds the text otherwise: the term 'wheel' denotes the use of a wheel-carriage, or the like. A lender who has accepted that by way of interest, and has agreed on the place and time; for instance, *he has agreed,* that 'a journey to *Váránasi,* or the use of a carriage for the year, shall be the only interest:' in such a case, if the debtor fail in time and place, if he do not carry *goods* to *Váránasi,* or do not carry *goods* during the year, he shall receive the benefit, that is, the whole hire of the carriage: consequently, the whole interest is undischarged."[1] *Hindu Digest,* Vol. I. p. 361.

[1] Note on the above by Mr. Colebrooke. "The translation (of the text) which I quote unaltered, varies from both comments."

162. If the surety had received money from the debtor, and had enough to pay the debt, the son of him, who so received it, shall discharge the debt out of his *inherited* property: this is a sacred ordinance.

163. A contract made by a person intoxicated or insane, or grievously disordered, or wholly dependent, by an infant or a decrepit old man, or *in the name of another* by a person without authority, is utterly null.

164. That plaint can have no effect, though it may be supported by evidence, which contains a cause of action inconsistent with positive law or with settled usage.

165. When the judge discovers a fraudulent pledge or sale, a fraudulent gift and acceptance, or in whatever other case he detects fraud, let him annul the whole transaction.

166. If the debtor be dead, and if the money borrowed was expended for the use of his family, it must be paid by that family, divided or undivided, out of their own estate.

167. Should even a slave make a contract *in the name of his absent master* for the behoof of the family, that master, whether in his own country or abroad, shall not rescind it.

168. What is given by force *to a man who cannot accept it legally,* what is by force enjoyed, by force caused to be written, and all other things done by force *or against free consent,* MENU has pronounced void.

169. Three are troubled by means of others, *namely,* witnesses, sureties, and inspectors of causes, and four collect wealth slowly, *with benefit to others*, a *Bráhmen,* a money-lender, a merchant, and a king.

170. Let no king, how indigent soever, take any thing which ought not to be taken; nor let him, how wealthy soever, decline taking that which he ought to take, be it ever so small:

171. By taking what ought not to be taken, and by refusing what ought to be received, the king betrays his own weakness, and is lost both in this world and in the next;

172. But by taking his due, by administering justice, and by protecting the weak, the king augments his own force, and is exalted in the next world and in this.

173. Therefore, let the king, like YAMA, resigning what

may be pleasing or unpleasing to himself, live by the strict rules of YAMA, his anger being repressed, and his organs kept in subjection.

174. That evil-minded king, who, through infatuation, decides causes with injustice, his enemies, *through the disaffection of his people,* quickly reduce to a state of dependence;

175. But him, who subduing both lust and wrath, examines causes with justice, his people naturally seek, as rivers the ocean.

176. THE debtor, who complains before the king, that his creditor has recovered the debt by his own legal act, *as before-mentioned,* shall be compelled by the king to pay a quarter of the sum *as a fine,* and the creditor shall be left in possession of his own.

177. Even by personal labour shall the debtor pay what is adjudged, if he be of the same class with the creditor, or of a lower; but a debtor of a higher class must pay it *according to his income* by little and little.

178. By this system of rules let the king decide, with equal justice, all disputes between men opposing each other, having ascertained the truth by evidence or the oaths of the parties.

179. A SENSIBLE man should make a deposit with some person of high birth, and of good morals, well acquainted with law, habitually veracious, having a large family, wealthy and venerable.

180. Whatever thing, and in whatever manner, a person shall deposit in the hands of another, the same thing, and in the same manner, ought to be received back by the owner: as the delivery *was,* so *must be* the receipt.

181. He, who restores not to the depositor, on his request, what has been deposited, may first be tried by the judge *in the following manner,* the depositor himself being absent.

182. On failure of witnesses, let the judge actually deposit gold, *or precious things,* with the defendant, by the artful contrivance of spies, who have passed the age of childhood, and whose persons are engaging:

183. Should the defendant restore that deposit in the manner and shape, in which it was bailed *by the spies,* there is nothing in his hands, for which others can justly accuse him;

184. But if he restore not the gold, or *precious things,* as he ought, to those emissaries, let him be apprehended and compelled to pay the value of both deposits: this is a settled rule.

185. A deposit, whether sealed up or not, should never be redelivered, while the depositor is alive, to his heir apparent or presumptive: both sorts of deposits, indeed, are extinct, *or cannot be demanded by the heir,* if the depositor die, *in that case;* but not, unless he die, *for, should the heir apparent keep them, the depositor himself may sue the bailee:*

186. But, if a depositary by his own free act shall deliver a deposit to the heir of a deceased bailor, he must not be harassed *with claims of a similar kind,* either by the king, or by that heir:

187. And, *if similar claims be made,* the king must decide the questions after friendly admonition, *without having recourse to artifice;* for, the honest disposition of the man being proved, the judge must proceed with mildness.

188. Such is the mode of ascertaining the right in all these cases of a deposit: in the case of a deposit sealed up, the bailee shall incur no censure *on the redelivery,* unless he have *altered the seal or* taken out something.

189. If a deposit be seized by thieves, *or destroyed by vermine,* or washed away by water, or consumed by fire, the bailee shall not be obliged to make it good, unless he took part of it for himself.

190. The defendant, who denies a deposit, and the plaintiff, who asserts it, let the king try by all sorts of expedients, and by the modes of ordeal prescribed in the *Véda.*

191. He who restores not a thing really deposited, and he, who demands what he never bailed, shall both, *for a second offence,* be punished as thieves, *if gold, pearls, or the like be demanded;* or, *in the case of a trifling demand,* shall pay a fine equal to the value of the thing claimed:

192. *For the first offence*, the king should compel a fraudulent depositary, without any distinction between a deposit under seal or open, to pay a fine equal to its value.

193. That man, who, by false pretences, gets into his hands the goods of another, shall, together with his accomplices, be punished by various degrees of *whipping or mutilation, or even by* death.*

194. *Regularly*, a deposit should be produced, the same in kind and quantity as it was bailed, by the same and to the same person, by whom and from whom it was received, and before the same company, *who were witnesses to the deposit:* he who produces it in a different manner, ought to be fined;

195. But a thing, privately deposited, should be privately restored by and to the person, by and from whom it was received: as the bailment *was*, so *should be* the delivery, *according to a rule in the* Véda.

196. Thus let the king decide causes concerning a deposit, or a friendly loan for use, without showing rigour to the depositary.

197. Him, who sells the property of another man, without the assent of the owner, the judge shall not admit as a competent witness, but shall treat as a thief, who pretends that he has committed no theft:

198. If, indeed, he be a near kinsman of the owner, he shall be fined six hundred *panas;* but, if he be neither his kinsman nor a claimant under him, he commits an offence equal to larceny.

199. A gift or sale, thus made by any other than the true owner, must, by a settled rule, be considered, in judicial proceedings, as not made.

200. Where occupation *for a time* shall be proved, but no sort of title shall appear, *the sale cannot be supported:* title, not occupation, is essential to its support; *and* this rule *also* is fixed.

201. He, who has received a chattel, by purchase in open

* The word "publickly" should be inserted in the last clause of this verse, and the passage will then read, "be publickly punished by various degrees of *whipping or mutilation, or even by death.*"

market, *before a number of men,* justly acquires the absolute property, by having paid the price of it, *if he can produce the vendor;*

202. But, if the vendor be not producible, and the vendee prove the publick sale, the latter must be dismissed by the king without punishment; and the former owner, who lost the chattel, may take it back *on paying the vendee half its value.*

203. One commodity, mixed with another, shall never be sold as *unmixed;* nor a bad commodity *as good;* nor less *than agreed on;* nor any thing kept at a distance or concealed, *lest some defect in it shall be discovered.*

204. If, after one damsel has been shown, another be offered to the bridegroom, *who had purchased leave to marry her from her next kinsman,* he may become the husband of both for the same price: this law MENU ordained.

205. The kinsman, who gives a damsel in marriage, having first openly told her blemishes, whether she be insane, or disordered with elephantiasis, or defiled by connexion with a man, shall suffer no punishment.

206. IF an officiating priest, actually engaged in a sacrifice, abandon his work, a share only, in proportion to his work done, shall be given to him by his partners in the business, *out of their common pay:*

207. But, if he discontinue his work *without fraud,* after the time of giving the sacrificial fees, he may take his full share, and cause what remains to be performed by another priest.

208. Where, on the performance of solemn rites, a specifick fee is ordained for each part of them, shall he alone, who performs that part, receive the fee, or shall all the priests take the perquisites jointly?

209. *At some holy rites,* let the reader of the *Yajurvéda* take the car, and the *Brahmá,* or superintending priest, the horse; or, *on another occasion,* let the reader of the *Rĭg-veda* take the horse, and the chanter of the *Sámavéda* receive the carriage, in which the purchased materials of the sacrifice had been brought.

210. *A hundred cows being distributable among sixteen priests*, the four chief, *or first set*, are entitled to *near* half, *or forty-eight;* the next four, to half of that number; the third set, to a third part of it; and the fourth set, to a quarter.

211. According to this rule, *or in proportion to the work*, must allotments of shares be given to men here below, who, *though* in conjunction, perform their several parts of the business.

212. Should money or goods be given, *or promised as a gift*, by one man to another, who asks it for some religious act, the gift shall be void, if that act be not afterwards performed:

213. If the money be delivered, and the receiver, through pride or avarice, refuse *in that case* to return it, he shall be fined one *suverna* by the king, as a punishment for his theft.

214. Such, as here declared, is the rule ordained for withdrawing what has been given: I will, next, propound the law for non-payment of wages.

215. That hired servant or workman, who, not from any disorder but from indolence, fails to perform his work according to his agreement, shall be fined eight *racticàs*, and his wages or hire shall not be paid.

216. But, if he be really ill, and, when restored to health, shall perform his work according to his original bargain, he shall receive his pay even for a very long time:

217. Yet, whether he be sick or well, if the work stipulated be not performed *by another for him or by himself*, his whole wages are forfeited, though the work want but a little of being complete.

218. This is the general rule concerning work undertaken for wages or hire: next, I will fully declare the law concerning such men as break their promises.

219. The man, among the traders and other inhabitants of a town or district, who breaks a promise through avarice, though he had taken an oath to perform it, let the king banish from his realm:

220. Or, *according to circumstances*, let the judge,

having arrested the promise-breaker, condemn him to pay six *nishcas*, or four *suvernas*, or one *satamána* of silver, *or all three if he deserve such a fine.*

221. Among all citizens, and in all classes, let a just king observe this rule for imposing fines on men, who shall break their engagements.

222. A MAN, who has bought or sold any thing in this world, *that has a fixed price, and is not perishable, as land or metals,* and wishes to rescind the contract, may give or take back such a thing within ten days;

223. But, after ten days, he shall neither give nor take it back: the giver or the taker, *except by consent,* shall be fined by the king six hundred *panas.*

224. The king himself shall take a fine of ninety-six *panas* from him, who gives a blemished girl *in marriage for a reward,* without avowing her blemish;

225. But the man, who, through malignity, says of a damsel, that she is no virgin, shall be fined a hundred *panas,* if he cannot prove her defilement.

226. The holy nuptial texts are applied solely to virgins, and no where on earth to girls, who have lost their virginity; since those women are *in general* excluded from legal ceremonies:

227. The nuptial texts are a certain rule in regard to wedlock, and the bridal contract is known by the learned to be complete *and irrevocable* on the seventh step *of the married pair, hand in hand, after those texts have been pronounced.*

228. By this law, in all business whatever here below, must the judge confine, within the path of rectitude, a person inclined to rescind his contract of sale and purchase.

229. I NOW will decide exactly, according to principles of law, the contests usually arising from the fault of such as own herds of cattle, and of such as are hired to keep them.

230. By day the blame falls on the herdsman; by night on the owner, *if the cattle be fed and kept* in his own house; but, if the place of their food and custody be different, the keeper incurs the blame.

231. That hired servant, whose wages are paid with milk,

may, with the assent of the owner, milk the best cow out of ten: such are the wages of herdsmen, unless they be paid in a different mode.

232. The herdsman himself shall make good the loss of a beast, which through his want of due care has strayed, has been destroyed by reptiles, or killed by dogs, or has died by falling into a pit;

233. But he shall not be compelled to make it good, when robbers have carried it away, if, after fresh proclamation and pursuit, he give notice to his master in a proper place and season.

234. When cattle die, let him carry to his master their ears, their hides, their tails, the skin below their navels, their tendons, and the liquor exuding from their foreheads:* let him also point out their limbs.

235. A flock of goats or of sheep being attacked by wolves, and the keeper not going *to repel the attack,* he shall be responsible for every one of them, which a wolf shall violently kill;

236. But, if any one of them, while they graze together near a wood, and the shepherd keeps them in order, shall be suddenly killed by a wolf springing on it, he shall not in that case be responsible.

237. On all sides of a village or small town, let a space be left for pasture, in breadth either four hundred cubits, or three casts of a large stick; and thrice that space round a city or considerable town:

238. Within that pasture ground, if cattle do any damage to grain in a field uninclosed with a hedge, the king shall not punish the herdsman.

239. Let the owner of the field enclose it with a hedge *of thorny plants,* over which a camel could not look; and let him stop every gap, through which a dog or a boar could thrust his head.

240. Should cattle, attended by a herdsman, do mischief near a highway, in an enclosed field or near the village, he

* The word *róchaná*, which the translator interprets "the liquor exuding from their foreheads," may be equally rendered "the concrete bile of the cow," which is used as a yellow pigment.

shall be fined a hundred *panas;* but against cattle which have no keeper, let the owner of the field secure it.

241. In other fields, the *owner of* cattle *doing mischief* shall be fined one *pana* and a quarter; but, in all places, the *value of the damaged* grain must be paid: such is the fixed rule concerning a husbandman.

242. For damage by a cow before ten days have passed since her calving, by bulls kept for impregnation, and by cattle consecrated to the deity, whether attended or unattended, MENU has ordered no fine.

243. If land be injured, by the fault of the farmer himself, *as if he fails to sow it in due time,* he shall be fined ten times as much as the *king's* share *of the crop, that might otherwise have been raised;* but only five times as much, if it was the fault of his servants without his knowledge.

244. These rules let a just prince observe in all cases of transgression by masters, their cattle, and their herdsmen.

245. IF a contest arise between two villages, *or landholders,* concerning a boundary, let the king, *or his judge* ascertain the limits in the month of *Jyaisht'ha,* when the landmarks are seen more distinctly.

246. *When boundaries first are established,* let strong trees be planted on them, *Vatas, Pippalas, Palásas, Sálmalis, Sálas* or *Tálas;* or such trees (*like the* Udumbara *or* Vajradru) as abound in milk;*

247. Or clustering shrubs, or *Vénus* of different sorts, or *Samí*-trees, and creepers, or *Saras,* and clumps of *Cubjacas:*

* Instead of the names which occur in the text, the translator has substituted in some instances the more familiar Sanscrit terms by which they are generally known. Thus, for *nyagród'ha,* he has given *vata:* both imply the ficus Indica. And for *aswatt'ha,* he writes *pippala:* they are the same tree, *viz.* ficus religiosa. The *palása* is likewise substituted for the *cinsuca,* a tree bearing beautiful red blossoms, and hence often alluded to by the poets: they are both known as butea frondosa.

The *sálmalí* is the silk-cotton tree (bambu heptaphyllium).

The *sála* is the shorea robusta.

By the *tála* is most probably meant the palmyra-tree, or fan-palm (borassus flabelliformis). It likewise implies a species of the mountain palm (corypha taliera).

Of the two names brought in from the comment as abounding in milk, the first or *udumbara* is the glomerous fig-tree (ficus glomerata), and the second or *vajradru* implies the various species of euphorbia.

and mounds of earth should be raised on them, so that the landmark may not easily perish :*

248. Lakes and wells, pools and streams, ought also to be made on the common limits, and temples dedicated to the gods.

249. The persons concerned, reflecting on the perpetual trespasses committed by men here below through ignorance of boundaries, should cause other landmarks to be concealed *under ground:*

250. Large pieces of stone, bones, tails of cows, bran, ashes, potsherds, dried cow-dung, bricks and tiles, charcoal, pebbles, and sand,

251. And substances of all sorts, which the earth corrodes not even in a long time, should be placed *in jars* not appearing *above ground* on the common boundary.

252. By such marks, or by the course of a stream, and long continued possession, the judge may ascertain the limit between the lands of two parties in litigation.

253. Should there be a doubt, even on the inspection of those marks, recourse must be had, for the decision of such a contest, to the declarations of witnesses.

254. Those witnesses must be examined concerning the landmarks, in the presence of all the townsmen or villagers, or of both the contending parties :

255. What the witnesses, thus assembled and interrogated, shall positively declare concerning the limits, must be recorded in writing, together with all their names.

256. Let them, putting earth on their heads, wearing chaplets of red flowers and clad in red mantles, be sworn by *the reward of* all their several good actions, to give correct evidence concerning the metes and bounds.

257. Veracious witnesses, who give evidence as the law

* By *vénu* are intended all the varieties of the bamboo.

Sami is the name for two plants; *viz.* the sami-tree or mimosa suma, and a shrub (serratula anthelmintica).

The *sara* is a sort ofreed or grass (saccharum sara).

In Mr. Wilson's Dictionary the *cubjaca* is mentioned as an aquatick plant (trapa bispinosa), this is not therefore likely to be the one alluded to in this verse; and we may therefore suppose it is the same as the *cubja* (achyranthes aspera). The attributive affix *ca* being often subjoined at pleasure.

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requires, are absolved from their sins; but such, as give it unjustly, shall each be fined two hundred *panas*.

258. If there be no witnesses, let four men, who dwell on all the four sides of the two villages, make a decision concerning the boundary, being duly prepared, *like the witnesses*, in the presence of the king.

259. If there be no such neighbours on all sides, nor any men, whose ancestors had lived there since the villages were built, nor other inhabitants of towns, who can give evidence on the limits, the judge must examine the following men, who inhabit the woods;

260. Hunters, fowlers, herdsmen, fishers, diggers for roots, catchers of snakes, gleaners, and other foresters:

261. According to their declaration, when they are duly examined, let the king with precision order landmarks to be fixed on the boundary line between the two villages.

262. As to the bounds of arable fields, wells or pools, gardens and houses, the testimony of next neighbours on every side must be considered as the best means of decision:

263. Should the neighbours say any thing untrue, when two men dispute about a landmark, the king shall make each of those witnesses pay the middle-most of the three usual amercements.

264. He, who, by means of intimidation, shall possess himself of a house, a pool, a field, or a garden, shall be fined five hundred *panas;* but only two hundred, if he trespassed through ignorance *of the right.*

265. If the boundary cannot be *otherwise* ascertained, let the king, knowing what is just, *that is, without partiality, and* consulting the future benefit of both parties, make a bound-line between their lands: this is a settled law.

266. Thus has the rule been propounded for decisions concerning landmarks: I, next, will declare the law concerning defamatory words.

267. A SOLDIER, defaming a priest, shall be fined a hundred *panas;* a merchant, *thus offending,* an hundred and fifty, or two hundred; but, *for such an offence,* a mechanick or servile man shall be whipped.

268. A priest shall be fined fifty,* if he slander a soldier; twenty-five, if a merchant; and twelve, if he slander a man of the servile class.

269. For abusing one of the same class, a twice-born man shall be fined only twelve; but for ribaldry not to be uttered, even that *and every fine* shall be doubled.

270. A once-born man, who insults the twice-born with gross invectives, ought to have his tongue slit; for he sprang from the lowest part *of* BRAHMA':

271. If he mention their names and classes with contumely, *as if he say* "*Oh* DE'VADATTA, *thou refuse of* Bráhmens," an iron style, ten fingers long, shall be thrust red hot into his mouth.

272. Should he, through pride, give instruction to priests concerning their duty, let the king order some hot oil to be dropped into his mouth and his ear.

273. He, who falsely denies, through insolence, the sacred knowledge, the country, the class, or the corporeal investiture *of a man equal in rank*, shall be compelled to pay a fine of two hundred *panas*.

274. If a man call another blind with one eye, or lame, or defective in any similar way, he shall pay the small fine of one *pana*, even though he speak truth.

275. He shall be fined a hundred, who defames his mother, his father, his wife, his brother, his son, or his preceptor; and he, who gives not his perceptor the way.

276. For *mutual* abuse by a priest and a soldier, this fine must be imposed by a learned king; the lowest amercement on the priest, and the middle-most on the soldier.

277. Such exactly, *as before-mentioned*, must be the punishment a merchant and a mechanick, in respect of their several classes, except the slitting of the tongue: this is a fixed rule of punishment.

278. THUS fully has the law been declared for the punish-

* There is a mistake in the number "five hundred," which is out of all proportion when compared with the other fines: all the MSS. state "fifty." The mistake is easily accounted for, by remembering how very similar the word *panchasat* is to *panchásat*, there being but the difference of a long and short vowel between them.

ment of defamatory speech: I will, next, propound the established law concerning assault and battery.

279. With whatever member a low-born man shall assault or hurt a superiour, even that member of his must be slit, *or cut more or less in proportion to the injury:* this is an ordinance of MENU.

280. He, who raises his hand or a staff against another, shall have his hand cut; and he, who kicks another in wrath, shall have an incision made in his foot.

281. A man of the lowest class, who shall insolently place himself on the same seat with one of the highest, shall either be banished with a mark on his hinder parts, or the king shall cause a gash to be made on his buttock:

282. Should he spit on him through pride, the king shall order both his lips to be gashed; should he urine on him, his penis; should he break wind against him, his anus.

283. If he seize the *Bráhmen* by the locks, or by the feet, or by the beard, or by the throat, or by the scrotum, let the king without hesitation cause incisions to be made in his hands.

284. If any man scratch the skin *of his equal in class,* or fetch blood *from him,* he shall be fined a hundred *panas;* if he wound a muscle, six *nishcas;* but, if he break a bone, let him be instantly banished.

285. ACCORDING to the use and value of all great trees, must a fine be set for injuring them: this is an established rule.

286. IF a blow, attended with much pain, be given either to human creatures or cattle, the king shall inflict on the striker a punishment as heavy as the presumed suffering.

287. IN all cases of hurting a limb, wounding, or fetching blood, the assailant shall pay the expence of a perfect cure; or, *on his failure,* both full damages and a fine to the same amount.

288. HE, who injures the goods of another, whether acquainted or unacquainted with the owner of them, shall give satisfaction to the owner, and pay a fine to the king equal to the damage.

289. If injury be done to leather or to leathern bags, or to

utensils made of wood or clay;* the fine shall be five times their value.

290. THE wise reckon ten occasions, in regard to a carriage, its driver, and its owner, on which the fine is remitted; on other occasions a fine is ordained by law:

291. The nose-cord or bridle being cut, *by some accident without negligence*, or the yoke being snapped, on a sudden overturn, or running against any thing *without fault*, the axle being broken, or the wheel cracked;

292. On the breaking of the thongs, of the halter, or of the reins, and when the driver has called aloud to make way, *on these occasions* has MENU declared that no fine shall be set:

293. But, where a carriage has been overturned by the unskilfulness of the driver, there, in the case of any hurt, the master shall be fined two hundred *panas*.

294. If the driver be skilful, *but negligent*, the driver alone shall be fined; and those in the carriage shall be fined each a hundred, if the driver be clearly unskilful.

295. Should a driver, being met in the way by another carriage or by cattle, kill any animal *by his negligence*, a fine shall, without doubt, be imposed *by the following rule:*

296. For killing a man, a fine, equal to that for theft, shall be instantly set; half that amount for large brute animals, as for a bull or cow, an elephant, a camel, or a horse;

297. For killing very young cattle, the fine shall be two hundred *panas;* and fifty, for elegant quadrupeds or beautiful birds, as *antelopes, parrots, and the like;*

298. For an ass, a goat, or a sheep, the fine must be five silver *máshas;* and one *másha* for killing a dog or a boar.

299. A WIFE, a son, a servant, a pupil, and a *younger* whole brother, may be corrected, when they commit faults, with a rope or the small shoot of a cane; †

* The words "flowers, roots, and fruits," have been omitted in the translation, and should have followed the words "wood or clay."

† In opposition to the *dictum* of the lawgiver, I feel happy in borrowing a note of Mr. Colebrooke's on this very verse. "May I quote a maxim of no less authority? *Setáparádhair anitám pushpénápi ne tád'yét;* strike not, even with a blossom, a wife guilty of a hundred faults." *Hindu Digest*, Vol. II. p. 209.

300. But on the back part only of their bodies, and not on a noble part by any means: he who strikes them otherwise than by this rule, incurs the guilt, *or shall pay the fine*, of a thief.

301. This law of assault and battery has been completely declared: I proceed to declare the rule for the settled punishment of theft.

302. In restraining thieves and robbers, let the king use extreme diligence; since, by restraining thieves and robbers, his fame and his domain are increased.

303. Constantly, no doubt, is that king to be honoured, who bestows exemption from fear; since he performs, *as it were*, a perpetual sacrifice, giving exemption from fear as a constant sacrificial present.

304. A sixth part of *the reward for* virtuous deeds performed by the whole people, belongs to the king, who protects them; but, if he protect them not, a sixth part of their iniquity lights on him.

305. Of *the reward for* what every subject reads in the *Véda*, for what he sacrifices, for what he gives in charity, for what he performs in worship, the king justly takes a sixth part in consequence of protection.

306. A king, who acts with justice in defending all creatures, and slays only those, who ought to be slain, performs, *as it were*, each day a sacrifice with a hundred thousand gifts;

307. But a king, who gives no such protection, yet receives taxes in kind or in value, market duties and tolls, the small daily presents for his household, and fines for offences, falls directly *on his death* to a region of horrour.

308. That king, who gives no protection, yet takes a sixth part of the grain as his revenue, wise men have considered as a prince, who draws to him the foulness of all his people.

309. Be it known, that a monarch, who pays no regard to the scriptures, who denies a future state, who acts with rapacity, who protects not his people, yet swallows up their possessions, will sink low indeed *after death*.

310. With great care and by three methods let him restrain the unjust; by imprisonment, by confinement in fetters, and by various kinds of corporal punishment;

311. Since, by restraining the bad, and by encouraging the good, kings are perpetually made pure, as the twice-born are purified by sacrificing.

312. A KING, who seeks benefit to his own soul, must always forgive parties litigant, children, old men, and sick persons, who inveigh against him:

313. He, who forgives persons in pain, when they abuse him, shall on that account be exalted in heaven; but he, who excuses them not, through the pride of dominion, shall for that reason sink into hell.

314. The stealer *of gold from a priest* must run hastily to the king, with loosened hair, proclaiming the theft, *and adding:* "Thus have I sinned; punish me."

315. He must bear on his shoulder a pestle of stone, or a club of *c'hadira*-wood, or a javelin pointed at both ends, or an iron mace:

316. Whether the king strike him with it, or dismiss him unhurt, the thief is then absolved from the crime; but the king, if he punish him not, shall incur the guilt of the thief.

317. *The killer of a priest,* or destroyer of an embryo, casts his guilt on the *willing* eater of his provisions; an adulterous wife, on her *negligent* husband; a bad scholar and sacrificer, on their *ignorant* preceptor; and a thief, on the *forgiving* prince:

318. But men, who have committed offences, and have received from kings the punishment due to them, go pure to heaven, and become as clear as those who have done well.

319. HE, who steals the rope or the water-pot from a well, and he, who breaks down a cistern, shall be fined a *másha* of gold; and that, *which he has taken or injured,* he must restore to its former condition.

320. Corporal punishment shall be inflicted on him, who steals more than ten *cumbhas* of grain (a *cumbha* is twenty *drónas,* and a *dróna,* two hundred *palas*): for less he must be fined eleven times as much, and shall pay to the owner the amount of his property.

321. So shall corporal punishment be inflicted for stealing commodities usually sold by weight, or more than

a hundred head of cattle, or gold, or silver, or costly apparel:

For stealing more than fifty *palas*, it is enacted that a hand shall be amputated: for less, the king shall set a fine eleven times as much as the value.

323. For stealing men of high birth, and women above all, and the most precious gems, *as diamonds or rubies*, the thief deserves capital punishment.

324. For stealing large beasts, weapons, or medicines, let the king inflict *adequate* punishment, considering the time and the act.

325. For taking kine belonging to priests, and boring their nostrils, or for stealing their other cattle, the offender shall instantly lose half of one foot.

326. For stealing thread, raw cotton, materials to make spirituous liquor, cow-dung, molasses, curds, milk, butter-milk, water, or grass,

327. Large canes, baskets of canes, salt of every kind, earthen pots, clay or ashes,

328. Fish, birds, oil, or clarified butter, flesh-meat, honey, or any thing, *as leather, horn, or ivory*, that came from a beast,

329. Or other things not precious, or spirituous liquors, rice dressed with clarified butter, or other messes of boiled rice, the fine must be twice the value of the commodity stolen.

330. For stealing *as much as a man can carry* of flowers, green corn, shrubs, creepers, small trees, or other vegetables, enclosed by a hedge, the fine shall be five *racticàs* of gold or silver;

331. But for corn, pot-herbs, roots, and fruit, unenclosed by a fence, the fine is an hundred *panas*, if there be no sort of relation *between the taker and the owner;* or half a hundred, if there be such relation.

332. If the taking be violent, and in the sight of the owner, it is robbery; if privately in his absence, it is only theft; and *it is considered as theft*, when a man, having received any thing, refuses to give it back.

333. On him, who steals the before-mentioned things,

when they are prepared for use, let the king set the lowest amercement *of the three*; and *the same* on him, who steals only fire from the temple.

334. With whatever limb a thief commits the offence by any means in this world, *as if he break a wall with his hand or his foot*, even that limb shall the king amputate, for the prevention of a similar crime.

335. NEITHER a father, nor a preceptor, nor a friend, nor a mother, nor a wife, nor a son, nor a domestick priest, must be left unpunished by the king, if they adhere not with firmness to their duty.

336. WHERE another man of lower birth would be fined one *pana*, the king shall be fined a thousand, *and he shall give the fine to the priests, or cast it into the river:* this is a sacred rule.

337. But the fine of a *Súdra* for theft shall be eight-fold; that of a *Vaisya*, sixteen-fold; that of a *Cshatriya*, two and thirty-fold.

338. That of a *Bráhmen*, four and sixty-fold; or a hundred-fold complete, or even twice four and sixty-fold; each of them knowing the nature of his offence.

339. The taking of roots and fruit from a large tree, *in a field or a forest* unenclosed, or of wood for a sacrificial fire, or of grass to be eaten by cows, MENU has pronounced no theft.

340. A PRIEST who willingly receives any thing, either for sacrificing or for instructing, from the hand of a man who had taken what the owner had not given, shall be *punished* even as the thief.

341. A twice-born man, who is travelling, and whose provisions are scanty, shall not be fined, for taking only two sugar canes, or two esculent roots, from the field of another man.

342. He, who ties the unbound, or looses the bound, *cattle of another*, and he who takes a slave, a horse, or a carriage *without permission*, shall be punished as for theft.

343. A king, who by *enforcing* these laws restrains men from committing theft, acquires in this world fame, and, in the next, beatitude.

344. LET not the king, who ardently desires a seat with INDRA, and wishes for glory, which nothing can change or diminish, endure for a moment the man, who has committed atrocious violence, *as by robbery, arson, or homicide.*

345. He, who commits great violence, must be considered as a more grievous offender than a defamer, a thief, or a striker with a staff:

346. That king, who endures a man convicted of such atrocity, quickly goes to perdition, and incurs publick hate.

347. Neither on account of friendship, nor for the sake of great lucre, shall the king dismiss the perpetrators of violent acts, who spread terrour among all creatures.

348. THE twice-born may take arms, when their duty is obstructed by force; and when, in some evil time, a disaster has befallen the twice-born classes;

349. And in their own defence; and in a war for just cause; and in defence of a woman or a priest: he, who kills justly, commits no crime.

350. Let a man, without hesitation, slay another, *if he cannot otherwise escape,* who assails him with intent to murder, whether young or old, or his preceptor, or a *Bráhmen* deeply versed in the scripture.

351. By killing an assassin, who attempts to kill, whether in publick or in private, no crime is committed by the slayer: fury recoils upon fury.

352. MEN, who commit overt-acts of adulterous inclinations for the wives of others, let the king banish from his realm, having punished them with such bodily marks, as excite aversion;

353. Since adultery causes, to the general ruin, a mixture of classes among men: thence arises violation of duties; and thence is the root of felicity quite destroyed.

354. A man before noted for such an offence, who converses in secret with the wife of another, shall pay the first of the three usual amercements;

355. But a man, not before noted, who thus converses with her for some reasonable cause, shall pay no fine; since in him there is no transgression.

356. He, who talks with the wife of another man at a place of pilgrimage, in a forest or a grove, or at the confluence of rivers, incurs the guilt of an adulterous inclination:

357. To send her flowers or perfumes, to sport and jest with her, to touch her apparel and ornaments, to sit with her on the same couch, are held adulterous acts on his part;

358. To touch a married woman on *her breasts or* any *other* place, which ought not to be touched, or, being touched unbecomingly by her, to bear it complacently, are adulterous acts with mutual assent.

359. A man of the servile class;* who commits actual adultery with the wife of a priest, ought to suffer death; the wives, indeed, of all the four classes must ever be most especially guarded.

360. Mendicants, encomiasts, men prepared for a sacrifice, and *cooks and other* artisans, are not prohibited from speaking to married women.

361. Let no man converse, after he has been forbidden, with the wives of others: he, who thus converses, *after a husband or father has* forbidden *him,* shall pay a fine of one *suverna.*

362. These laws relate not to the wives of publick dancers or singers, or of such base men, as live by intrigues of their wives; men, who either carry women to others, or, lying concealed at home, permit them to hold a culpable intercourse:

363. Yet he, who has a private connexion with such women, or with servant-girls kept by one master, or with female anchorets *of an heretical religion,* shall be compelled to pay a small fine.

364. He, who vitiates a damsel without her consent, shall suffer corporal punishment instantly; but he, who enjoys a willing damsel, shall not be corporally punished, if his class be the same with hers.

365. From a girl, who makes advances to a man of a high class, let not the king take the smallest fine; but her, who

* Instead of "a man of the servile class," the text reads "(a man) not a brahmen." The translator has followed CULLÚCA's comment.

first addresses a low man, let him constrain to live in her house well guarded.

366. A low man, who makes love to a damsel of high birth, ought to be punished corporally; but he, who addresses a maid of equal rank, shall give the nuptial present *and marry her*, if her father please.

367. Of the man, who through insolence forcibly contaminates a damsel, let the king instantly order two fingers to be amputated, and condemn him to pay a fine of six hundred *panas:*

368. A man of equal rank, who defiles a consenting damsel, shall not have his fingers amputated, but shall pay a fine of two hundred *panas*, to restrain him from a repetition of his offence.

369. A damsel, polluting another damsel, must be fined two hundred *panas*, pay the double value of her nuptial present, and receive ten lashes with a whip;

370. But a woman, polluting a damsel, shall have her head instantly shaved, and two of her fingers chopped off; and shall ride, mounted on an ass, *through the publick street.*

371. Should a wife, proud of her family and the great qualities of her kinsmen, actually violate the duty, which she owes to her lord, let the king condemn her to be devoured by dogs in a place much frequented;

372. And let him place the adulterer on an iron bed well heated, under which the executioners shall throw logs continually, till the sinful wretch be there burned *to death.*

373. Of a man once convicted, and a year after guilty *of the same crime*, the fine must be doubled; *so it must*, if he be connected with the daughter of an outcast or with a *Chándálí* woman.

374. A mechanick or servile man, having an adulterous connexion with a woman of a twice-born class, whether guarded at home or unguarded, *shall thus be punished:* if she was unguarded, *he* shall lose the part *offending*, and his whole substance; if guarded, *and a priestess*, every thing, *even his life.*

375. *For adultery with a guarded priestess*, a merchant

shall forfeit all his wealth after imprisonment for a year; a soldier shall be fined a thousand *panas*, and be shaved with *the* urine *of an ass:*

376. But, if a merchant or soldier commit adultery with a woman of the sacerdotal class, whom her husband guards not at home, the king shall only fine the merchant five hundred, and the soldier a thousand:

377. Both of them, however, if they commit that offence with a priestess *not only* guarded *but eminent for good qualities*, shall be punished like men of the servile class, or be burned in a fire of dry grass or reeds.*

378. A *Bráhmen*, who carnally knows a guarded woman without her free will, must be fined a thousand *panas;* but only five hundred if he knew her with her free consent.

379. Ignominious tonsure is ordained, instead of capital punishment, for an adulterer of the priestly class, where the punishment of other classes may extend to loss of life.

380. Never shall the king slay a *Bráhmen*, though convicted of all possible crimes; let him banish the offender from his realm, but with all his property secure, and his body unhurt:

381. No greater crime is known on earth than slaying a *Bráhmen;* and the king, therefore, must not even form in his mind an idea of killing a priest.

382. If a merchant converse criminally with a guarded woman of the military, or a soldier with one of the mercantile class, they both deserve the same punishment as in the case of a priestess unguarded:

383. But a *Bráhmen*, who shall commit adultery with a guarded woman of those two classes, must be fined a thousand *panas;* and, for the like offence with a guarded woman of the servile class, the fine of a soldier or a merchant shall be also one thousand.

* I think the employment of the word "priestess" hardly admissable, as nothing more is intended by the word *bráhmenì* than a female *bráhmen*, or the wife of a *bráhmen*. By the word priestess I am led to understand a female constituted to direct or perform the offices of religion. By a reference to v. 18, Chap. IX. it will be seen that women can have nothing to do with the offices of religion. See likewise v. 155, Chap. V.

384. For adultery with a woman of the military class, if unguarded, the fine of a merchant is five hundred; but a soldier, *for the converse of that offence,* must be shaved with urine, or pay the fine *just mentioned.*

385. A priest shall pay five hundred *panas* if he connect himself criminally with an unguarded woman of the military, commercial, or servile class; and a thousand, *for such a connexion with* a woman of a vile *mixed* breed.

386. THAT king, in whose realm lives no thief, no adulterer, no defamer, no man guilty of atrocious violence, and no committer of assaults, attains the mansion of SACRA.

387. By suppressing those five in his dominion, he gains royalty paramount over men of the same kingly rank, and spreads his fame through the world.

388. THE sacrificer, who forsakes the officiating priest, and the officiating priest, who abandons the sacrificer, each being able to do his work, and guilty of no grievous offence, must each be fined a hundred *panas.*

389. A mother, a father, a wife, and a son shall not be forsaken: he, who forsakes either of them, unless guilty of a deadly sin, shall pay six hundred *panas* as a fine to the king.

390. LET not a prince, who seeks the good of his own soul, *hastily and alone* pronounce the law, on a dispute concerning any legal observance, among twice-born men in their several orders;

391. *But* let him, after giving them due honour according to their merit, and, at first, having soothed them by mildness, apprise them of their duty with the assistance of *Bráhmens.*

392. THE priest, who gives an entertainment to twenty men of the three first classes, without inviting his next neighbour, and his neighbour next but one, if both be worthy of an invitation, shall be fined one *másha* of silver.

393. A *Bráhmen* of deep learning in the *Véda* who invites not another *Bráhmen,* both learned and virtuous, to an entertainment *given on some occasion* relating to his wealth, *as the marriage of his child, and the like,* shall be

made to pay him twice the value of the repast, and be fined a *másha* of gold.

394. Neither a blind man, nor an idiot, nor a cripple, nor a man full seventy years old, nor one who confers great benefits on priests of eminent learning, shall be compelled by any *king* to pay taxes.

395. Let the king always do honour to a learned theologian, to a man either sick or grieved, to a little child, to an aged or indigent man, to a man of exalted birth, and to a man of distinguished virtue.

396. Let a washerman wash *the* clothes *of his employers* by little and little, *or piece by piece, and not hastily*, on a smooth board of *Sálmali*-wood: let him never mix *the* clothes *of one person* with *the* clothes *of another*, nor suffer any *but the owner* to wear them.

397. Let a weaver, who has received ten *palas* of cotton-thread, give them back increased to eleven *by the rice-water and the like used in weaving*: he, who does otherwise, shall pay a fine of twelve *panas*.

398. As men versed in cases of tolls, and acquainted with all marketable commodities, shall establish the price of saleable things, let the king take a twentieth part of *the profit on sales at* that price.

399. Of the trader, who, through avarice, exports commodities, of which the king justly claims the pre-emption, or on which he has laid an embargo, let the sovereign confiscate the whole property.

400. Any seller or buyer, who *fraudulently* passes by the toll-office at *night or* any *other* improper time, or who makes a false enumeration *of the articles bought*, shall be fined eight times as much as their value.

401. Let the king establish rules for the sale and purchase of all marketable things, having duly considered whence they come, *if imported;* and, *if exported*, whither they must be sent; how long they have been kept; what may be gained by them; and what has been expended on them.

402. Once in five nights, or at the close of every half month, *according to the nature of the commodities*, let the

king make a regulation for market prices in the presence of those *experienced men:*

403. Let all weights and measures be well ascertained by him; and once in six months let him re-examine them.

404. The toll at a ferry is one *pana* for an empty cart; half a *pana*, for a man with a load; a quarter, for a beast used in agriculture, or for a woman; and an eighth, for an unloaded man.

405. Waggons, filled with goods packed up, shall pay toll in proportion to their value; but for empty vessels and bags, and for *poor* men ill-apparelled, a very small toll shall be demanded.

406. For a long passage, the freight must be proportioned to places and times; but this must be understood of passages up and down rivers: at sea there can be no settled freight.

407. A woman, who has been two months pregnant, a religious beggar, a forester in the third order, and *Bráhmens, who are* students in theology, shall not be obliged to pay toll for their passage.

408. Whatever shall be broken in a boat, by the fault of the boatmen, shall be made good by those men collectively, each paying his portion.

409. This rule, ordained for such as pass rivers in boats, relates to the culpable neglect of boatmen on the water: in the case of inevitable accident, there can be no damages recovered.

410. THE king should order each man of the mercantile class to practise trade, or money-lending, or agriculture and attendance on cattle; and each man of the servile class to act in the service of the twice-born.

411. Both him of the military, and him of the commercial class, if distressed for a livelihood, let some wealthy *Bráhmen* support, obliging them without harshness to discharge their several duties.

412. A *Bráhmen*, who, by his power and through avarice, shall cause twice-born men, girt with the sacrificial thread, to perform servile acts, *such as washing his feet*, without their consent, shall be fined by the king six hundred *panas;*

413. But a man of the servile class whether bought or

unbought, he may compel to perform servile duty; because such a man was created by the Self-existent for the purpose of serving *Bráhmens:*

414. A *Súdra,* though emancipated by his master, is not released from a state of servitude; for of a state, which is natural to him, by whom can he be divested?

415. THERE are servants of seven sorts; one made captive under a standard *or in battle,* one maintained in consideration of service, one born of a female slave in the house, one sold, or given, or inherited from ancestors, and one enslaved by way of punishment *on his inability to pay a large fine.*

416. Three persons, a wife, a son, and a slave, are declared by law to have *in general* no wealth exclusively their own: the wealth, which they may earn, is *regularly* acquired for the man, to whom they belong.

417. A *Bráhmen* may seize without hesitation, *if he be distressed for a subsistence,* the goods of his *Súdra*-slave; for, as that slave can have no property, his master may take his goods.

418. With vigilant care should the king exert himself in compelling merchants and mechanicks to perform their respective duties; for, when such men swerve from their duty, they throw this world into confusion.

419. Day by day must the king, *though engaged in forensick business,* consider the great objects of publick measures, and enquire into the state of his carriages, *elephants, horses, and cars,* his constant revenues and necessary expences, his mines *of precious metals or gems,* and his treasury:

420. Thus, bringing to a conclusion all these weighty affairs, and removing *from his realm and from himself* every taint of sin, a king reaches the supreme path of beatitude.

CHAPTER IX.

ON THE SAME; AND ON THE COMMERCIAL AND SERVILE CLASSES.

1. I NOW will propound the immemorial duties of man and woman, who must both remain firm in the legal path, whether united or separated.

2. Day and night must women be held by their protectors in a state of dependence; but in *lawful and innocent* recreations, though rather addicted to them, they may be left at their own disposal.

3. Their fathers protect them in childhood; their husbands protect them in youth; their sons protect them in age: a woman is never fit for independence.

4. Reprehensible is the father, who gives not his daughter in marriage at the proper time; and the husband, who approaches not his wife in due season; reprehensible also is the son, who protects not his mother after the death of her lord.

5. Women must, above all, be restrained from the smallest illicit gratification; for, not being thus restrained, they bring sorrow on both families:

6. Let husbands consider this as the supreme law ordained for all classes; and let them, how weak soever, diligently keep their wives under lawful restrictions;

7. For he who preserves his wife *from vice,* preserves his offspring *from suspicion of bastardy,* his ancient usages *from neglect,* his family *from disgrace,* himself *from anguish,* and his duty *from violation.*

8. The husband, after conception by his wife, becomes him self an embryo, and is born a second time here below; for

which reason the wife is called *jáyá,* since by her (*jáyaté*) he is born again:

9. Now the wife brings forth a son, endued with similar qualities to those of the father; so that, with a view to an excellent offspring, he must vigilantly guard his wife.

10. No man, indeed, can wholly restrain women by violent measures; but, by these expedients, they may be restrained:

11. Let the husband keep his wife employed in the collection and expenditure of wealth, in purification and female duty, in the preparation of daily food, and the superintendence of household utensils.

12. By confinement at home, even under affectionate and observant guardians, they are not secure; but those women are truly secure, who are guarded by their own good inclinations.

13. Drinking *spirituous liquor,* associating with evil persons, absence from her husband, rambling abroad, unseasonable sleep, and dwelling in the house of another, are six faults which bring infamy on a married woman:

14. Such *women* examine not beauty, nor pay attention to age; whether *their lover be* handsome or ugly, they think it is enough that he is a man, and pursue their pleasures.

15. Through their passion for men, their mutable temper, their want of settled affection, and their perverse nature (let them be guarded in this world ever so well), they soon become alienated from their husbands.

16. Yet should their husbands be diligently careful in guarding them; though they well know the disposition, with which the lord of creation formed them:

17. Menu allotted to such women a love of their bed, of their seat, and of ornament, impure appetites, wrath, weak flexibility, desire of mischief, and bad conduct.

18. Women have no business with the texts of the *Véda;* thus is the law fully settled: having, therefore, no evidence *of law,* and no *knowledge of* expiatory texts, sinful women must be as foul as falsehood itself; and this is a fixed rule.

19. To this effect many texts, which may show their true disposition, are chanted in the *Védas:* hear now their expiation for sin.

20 "That pure blood, which my mother defiled by adulterous desire, frequenting the houses of other men, and violating her duty to her lord, that blood may my father purify!" Such is the tenour of the holy text, *which her son, who knows her guilt must pronounce for her;*

21. *And* this expiation has been declared for every unbecoming thought, which enters her mind, concerning infidelity to her husband; since that *is the beginning of* adultery.

22. Whatever be the qualities of the man, with whom a woman is united by lawful marriage, such qualities even she assumes; like a river *united* with the sea.

23. ACSHAMA'LA', a woman of the lowest birth, being thus united to VASISHT'HA, and SA'RANGI', being united to MANDAPA'LA, were entitled to very high honour:

24. These, and other females of low birth, have attained eminence in this world by the respective good qualities of their lords.

25. Thus has the law, ever pure, been propounded for the civil conduct of men and women: hear, next, the laws concerning children, by obedience to which may happiness be attained in this and the future life.

26. WHEN good women, united with husbands in expectation of progeny, eminently fortunate and worthy of reverence, irradiate the houses of their lords, between them and goddesses of abundance there is no diversity whatever.

27. The production of children, the nurture of them, when produced, and the daily superintendance of domestick affairs are peculiar to the wife:

28. From the wife alone proceed offspring, good household management, solicitous attention, most exquisite caresses, and that heavenly beatitude which she obtains for the manes of ancestors, and for *the husband* himself.

29. She, who deserts not her lord, but keeps in subjection to him her heart, her speech, and her body, shall attain his mansion in heaven, and, by the virtuous in this world, be called *Sádhwì or good and faithful;*

30. But a wife, by disloyalty to her husband, shall incur disgrace in this life, and be born *in the next* from the womb

of a shakal, or be tormented with horrible diseases, which punish vice.

31. LEARN now that excellent law, universally salutary, which was declared, concerning issue, by great and good sages formerly born.

32. They consider the male issue of a woman as the son of the lord; but, on the subject of that lord, a difference of opinion is mentioned in the *Véda;* some giving that name to the real procreator of the child, and others applying it to the married possessor of the woman.

33. The woman is considered in law as the field, and the man as the grain: now vegetable bodies are formed by the united operation or the seed and the field.

34. In some cases the prolifick power of the male is chiefly distinguished; in others, the receptacle of the female; but, when both are equal in dignity, the offspring is most highly esteemed:

35. In general, as between the male and female powers of procreation, the male is held superiour; since the offspring of all procreant beings is distinguished by marks of the male power.

36. Whatever be the quality of seed, scattered in a field prepared in due season, a plant of the same quality springs in that field, with peculiar visible properties.

37. Certainly this earth is called the primeval womb of many beings; but the seed exhibits not in its vegetation any properties of the womb.

38. On earth here below, even in the same ploughed field, seeds of many different forms, having been sown by husbandmen in the proper season, vegetate according to their nature:

39. Rice-plants, *mature in sixty days, and those, which require transplantation,* mudga, tila, másha, barley, leaks, and sugar-canes, all spring up according to the seeds.

40. That one plant should be sown, and another produced, cannot happen: whatever seed may be sown, even that produces its proper stem.

41. Never must it be sown in another man's field by him, who has natural good sense, who has been well instructed,

who knows the *Véda* and its *Angas*, who desires long life:

42. They who are acquainted with past times, have preserved, on this subject, holy strains chanted by every breeze, *declaring*, that "seed must not be sown in the field of another man."

43. As the arrow of that hunter is vain, who shoots it into the wound, which another had made just before in the antelope, thus instantly perishes the seed, which a man throws into the soil of another:

44. Sages, who know former times, consider this earth (*Prĭt'hivî*) as the wife of king PRITHU; and thus they pronounce cultivated land to be the property of him, who cut away the wood, *or who cleared and tilled it;* and the antelope, of the first hunter, who mortally wounded it.

45. Then only is a man perfect, when he consists of *three persons united,* his wife, himself, and his son; and thus have learned *Bráhmens* announced this *maxim:* "The husband is even one person with his wife," *for all domestick and religious, not for all civil, purposes.*

46. Neither by sale nor desertion can a wife be released from her husband: thus we fully acknowledge the law enacted of old by the Lord of creatures.

47. Once is the partition of an inheritance made; once is a damsel given in marriage; and once does a man say "I give:" these three are, by good men, done once for all *and irrevocably.*

48. As with cows, mares, female camels, slave-girls, milch buffalos, she-goats, and ewes, it is not the owner of the *bull or other* father, who owns the offspring, even thus is it with the wives of others.

49. They, who have no property in the field, but, having grain in their possession, sow it in soil owned by another, can receive no advantage whatever from the corn, which may be produced:

50. Should a bull beget a hundred calves on cows not owned by his master, those calves belong solely to the proprietors of the cows; and the strength of the bull was wasted:

51. Thus men, who have no marital property in women, but sow in the fields owned by others, may raise up fruit to the husbands; but the procreator can have no advantage from it.

52. Unless there be a special agreement between the owners of the land and of the seed, the fruit belongs clearly to the land-owner; for the receptacle is more important than the seed:

53. But the owners of the seed and of the soil may be considered in this world as joint owners of the crop, which they agree, by special compact in consideration of the seed, to divide between them.

54. Whatever man owns a field, if seed, conveyed into it by water or wind, should germinate, the plant belongs to the land-owner: the mere sower takes not the fruit.

55. Such is the law concerning the offspring of cows, and mares, of female camels, goats, and sheep, of slave-girls, hens, and milch buffalos, *unless there be a special agreement.*

56. Thus has the comparative importance of the soil and the seed been declared to you: I will next propound the law concerning women, who have no issue *by their husbands.*

57. The wife of an elder brother is considered as mother-in-law to the younger; and the wife of the younger as daughter-in-law to the elder:

58. The elder brother, amorously approaching the wife of the younger, and the younger, caressing the wife of the elder, are both degraded, even though authorized *by the husband or spiritual guide,* except when such wife has no issue.

59. On failure of issue by the husband, *if he be of the servile class,* the desired offspring may be procreated, either by his brother or some other *sapinda,* on the wife, who has been duly authorized:

60. Sprinkled with clarified butter, silent, in the night, let the kinsman thus appointed beget one son, but a second by no means, on the widow *or childless wife:*

61. Some sages, learned in the laws concerning women, thinking it possible, that the great object of that appointment may not be obtained *by the birth of a single son,* are of

opinion, that the wife and appointed kinsman may legally procreate a second.

62. The first object of the appointment being obtained according to law, both *the brother and the widow* must live together like a father and a daughter by affinity.

63. Either brother, appointed for this purpose, who deviates from the strict rule, and acts from carnal desire, shall be degraded, as having defiled the bed of his daughter-in-law, or of his father.

64. By men of twice-born classes no widow, *or childless wife*, must be authorized to conceive by any other than her lord; for they, who authorize her to conceive by any other, violate the primeval law.

65. Such a commission *to a brother or other near kinsman* is no where mentioned in the nuptial texts of the *Véda;* nor is the marriage of a widow even named in the laws concerning marriage.

66. This practice, fit only for cattle, is reprehended by learned *Bráhmens;* yet it is declared to have been the practice even of men, while VE'NA had sovereign power:

67. He, possessing the whole earth, and *thence only called* the chief of sage monarchs, gave rise to a confusion of classes, when his intellect became weak through lust.

68. Since his time the virtuous disapprove of that man, who, through delusion of mind, directs a widow *to receive the caresses of another* for the sake of progeny.

69. The damsel, *indeed,* whose husband shall die after troth verbally plighted, *but before consummation,* his brother shall take in marriage according to this rule:

70. Having espoused her in due form of law, she being clad in a white robe, and pure in her moral conduct, let him approach her once in each proper season, and until issue *be had.*

71. LET no man of sense, who has once given his daughter to a suitor, give her again to another; for he, who gives away his daughter, whom he had before given, incurs the guilt and fine of speaking falsely in a cause concerning mankind.

72. EVEN though a man have married a young woman in legal form, yet he may abandon her, if he find her blemished,

afflicted with disease, or previously deflowered, and given to him with fraud:

73. If any man give a faulty damsel in marriage, without disclosing her blemish, the husband may annul that act of her ill-minded giver.

74. Should a man have business abroad, let him assure a fit maintenance to his wife, and then reside *for a time* in a foreign country; since a wife, even though virtuous, may be tempted to act amiss, if she be distressed by want of subsistence:

75. While her husband, having settled her maintenance, resides abroad, let her continue firm in religious austerities; but, if he leave her no support, let her subsist by *spinning and other* blameless arts.

76. If he live abroad on account of some sacred duty, let her wait for him eight years; if on account of knowledge or fame, six; if on account of pleasure, three: *after those terms have expired, she must follow him.*

77. For a whole year let a husband bear with his wife, who treats him with aversion; but, after a year, let him deprive her of her separate property, and cease to cohabit with her.

78. She, who neglects her lord, though addicted to gaming, fond of spirituous liquors, or diseased, must be deserted for three months, and deprived of her ornaments and household furniture:

79. But she, who is averse from a mad husband, or a deadly sinner, or an eunuch, or one without manly strength, or one afflicted with such maladies as punish crimes, must neither be deserted nor stripped of her property.

80. A wife, who drinks any spirituous liquors, who acts immorally, who shows hatred *to her lord*, who is *incurably* diseased, who is mischievous, who wastes his property, may at all times be superseded by another wife.

81. A barren wife may be superseded by another in the eighth year: she, whose children are all dead, in the tenth; she, who brings forth *only* daughters, in the eleventh; she, who speaks unkindly, without delay;

82. But she, who, though afflicted with illness, is beloved

and virtuous, must never be disgraced, though she may be superseded by another wife with her own consent.

83. If a wife, legally superseded, shall depart in wrath from the house, she must either instantly be confined, or abandoned in the presence of the whole family:

84. But she, who, having been forbidden, addicts herself to intoxicating liquor even at jubilees, or mixes in crowds at theatres, must be fined six *racticás* of gold.

85. WHEN twice-born men take wives, both of their own class and others, the precedence, honour, and habitation of those wives, must be settled according to the order of their classes:

86. To all such married men, the wives of the same class only (not wives of a different class by any means) must perform the duty of personal attendance, and the daily business relating to acts of religion;

87. For he, who foolishly causes those duties to be performed by any other than his wife of the same class, when she is near at hand, has been immemorially considered as a mere *Chandála* begotten on a *Bráhmenì*.

88. To an excellent and handsome youth of the same class, let every man give his daughter in marriage, according to law; even though she have not attained her age *of eight years:*

89. *But* it is better, that the damsel, though marriageable, should stay at home till her death, than that he should ever give her in marriage to a bridegroom void of excellent qualities.

90. Three years let a damsel wait, though she be marriageable; but, after that term, let her chuse for herself a bridegroom of equal rank:

91. If, not being given in marriage, she chuse her bridegroom, neither she, nor the youth chosen, commits any offence;

92. But a damsel, thus electing her husband, shall not carry with her the ornaments, which she received from her father, nor those given by her mother or brethren: if she carry them away, she commits theft.

93. He, who takes to wife a damsel of full age, shall not

give a nuptial present to her father; since the father lost his dominion over her, by detaining her at a time, when she might have been a parent.

94. A man, aged thirty years, may marry a girl of twelve, *if he find one* dear to his heart; or a man of twenty-four years, a damsel of eight: but, if *he finish his studentship earlier, and* the duties *of his next order* would otherwise be impeded, let him marry immediately.

95. A wife, given by the gods, *who are named in the bridal texts,* let the husband receive and support constantly, if she be virtuous, though he married her not from inclination: such conduct will please the gods.

96. To be mothers, were women created; and to be fathers, men; religious rites, therefore, are ordained in the *Véda* to be performed *by the husband* together with the wife.

97. If a nuptial gratuity has actually been given to a damsel, and he, who gave it, should die *before marriage,* the damsel shall be married to his brother, if she consent;

98. But even a man of the servile class ought not to receive a gratuity, when he gives his daughter in marriage; since a father, who takes a fee *on that occasion,* tacitly sells his daughter.

99. Neither ancients nor moderns, who were good men, have ever given a damsel in marriage, after she had been promised to another man;

100. Nor, even in former creations, have we heard *the virtuous approve* the tacit sale of a daughter for a price, under the name of a nuptial gratuity.

101. "Let mutual fidelity continue to death:" this, in few words, may be considered as the supreme law between husband and wife.

102. Let a man and woman, united by marriage, constantly beware, lest, at any time disunited, they violate their mutual fidelity.

103. Thus has been declared to you the law, abounding in the purest affection, for the conduct of man and wife; together with the practice of raising up offspring *to a husband of the servile class* on failure *of issue by him begotten:* learn now the law of inheritance.

104. AFTER the death of the father and the mother, the brothers being assembled, may divide among themselves the paternal *and maternal* estate; but they have no power over it, while their parents live, *unless the father chuse to distribute it.*

105. The eldest brother may take entire possession of the patrimony; and the others may live under him, as *they lived* under their father, *unless they chuse to be separated.*

106. By the eldest, at the moment of his birth, the father, having begotten a son, discharges his debt to his own progenitors; the eldest son, therefore, ought *before partition* to manage the whole patrimony:

107. That son alone, by whose birth he discharges his debt, and through whom he attains immortality, was begotten from a sense of duty: all the rest are considered by the wise as begotten from love of pleasure.

108. Let the father alone support his sons; and the first-born, his younger brothers; and let them behave to the eldest, according to law, as children *should behave* to their father.*

109. The first-born, *if virtuous*, exalts the family, or, *if vitious*, destroys it: the first-born is in this world the most respectable; and the good never treat him with disdain.

110. If an elder brother act, as an elder brother ought, he is *to be revered* as a mother, as a father; and, even if he have not the behaviour of a good elder brother, he should be respected as a *maternal uncle, or other* kinsman.

111. Either let them thus live together, or, if they desire *separately to perform* religious rites, let them live apart; since religious duties are multiplied in separate houses, their separation is, therefore, legal *and even laudable.*

112. The portion deducted for the eldest is a twentieth part *of the heritage*, with the best of all the chattels; for the middlemost, half of that, *or a fortieth;* for the youngest, a quarter of it, *or an eightieth.*

* I am supported by Mr. Colebrooke's authority in reading the first hemistich of this verse, "As a father should support his sons, so let the first-born *support* his younger brothers," &c. Mr. Colebrooke thinks that Sir William Jones must have read *pitaiva* instead of *pitĕva.*

113. The eldest and youngest respectively take their just mentioned portions; and, if there be more than one between them, each of the intermediate sons has the mean portion, *or the fortieth.*

114. Of all the goods collected let the first-born, *if he be transcendently learned and virtuous,* take the best article, whatever is most excellent in its kind, and the best of ten *cows or the like:*

115. But among brothers equally skilled in performing their several duties, there is no deduction of the best in ten, *or the most excellent chattel;* though some trifle, as a mark of greater veneration, should be given to the first-born.

116. If a deduction be thus made, let equal shares of the residue be ascertained *and received;* but, if there be no deduction, the shares must be distributed in this manner:

117. Let the eldest have a double share, and the next-born, a share and a half, *if they clearly surpass the rest in virtue and learning;* the younger sons must have each a share: *if all be equal in good qualities, they must all take share and share alike.*

118. To the *unmarried* daughters *by the same mother,* let their brothers give portions out of their own allotments respectively, *according to the classes of their several mothers:* let each give a fourth part of his own distinct share; and they, who refuse to give it, shall be degraded.

119. Let them never divide *the value of* a single goat or sheep, or a single beast with uncloven hoofs: a single goat or sheep *remaining after an equal distribution,* belongs to the first-born.

120. Should a younger brother *in the manner before mentioned,* have begotten a son on the wife of his *deceased* elder brother, the division must then be made equally *between that son, who represents the deceased, and his natural father:* thus is the law settled.

121. The representative is not *so far* wholly substituted by law in the place of the *deceased* principal, *as to have the portion of an elder son;* and the principal became a father in consequence of the procreation *by his younger brother;*

the son, therefore, is entitled by law to an equal share, *but not to a double portion.*

122. A younger son being born of a first married wife, after an elder son had been born of a wife last married, *but of a lower class,* it may be a doubt in that case, how the division shall be made:

123. Let the son, born of the elder wife, take one most excellent bull deducted from the inheritance; the next excellent bulls are for those, who *were born first, but* are inferiour on account of their mothers, *who were married last.*

124. A son, indeed, who was first born, and brought forth by the wife first married, may take, *if learned and virtuous,* one bull and fifteen cows; and the other sons may then take, each in right of his several mother: such is the fixed rule.

125. As between sons, born of wives equal in their class *and* without *any other* distinction, there can be no seniority in right of the mother; but the seniority ordained by law, is according to the birth.

126. The right of invoking INDRA by the texts, called *swabráhmanyá,* depends on actual priority of birth; and of twins also, *if any such be conceived* among *different* wives, the eldest is he, who was first actually born.

127. HE, who has no son, may appoint his daughter in this manner to raise up a son for him, *saying:* "the male child, who shall be born from her in wedlock, shall be mine for the purpose of performing my obsequies."

128. In this manner DACSHA himself, lord of created beings, anciently appointed all his *fifty* daughters to raise up sons to him for the sake of multiplying his race:

129. He gave ten to DHERMA, thirteen to CASYAPA, twenty seven to SÓMA, king *of Bráhmens and medical plants,* after doing honour to them with an affectionate heart.

130. THE son of a man is even as himself; and as the son, such is the daughter *thus appointed:* how then, *if he have no son,* can any inherit his property, but a daughter, who is closely united with his own soul?

131. Property, given to the mother on her marriage, is

inherited by her *unmarried* daughter; and the son of a daughter, *appointed in the manner just mentioned,* shall inherit the whole estate of her father, who leaves no son *by himself begotten*:

132. The son, however, of *such* a daughter, who succeeds to all the wealth of her father dying without a son, must offer two funeral cakes, one to his own father, and one to the father of his mother.

133. Between a son's son and the son of *such* a daughter, there is no difference in law; since their father and mother both sprang from the body of the same man:

134. But, a daughter having been appointed to produce a son for her father, and a son, *begotten by himself*, being afterwards born, the division of the heritage must in that case be equal; since there is no right of primogeniture for a woman.

135. Should a daughter, thus appointed to raise up a son for her father, die by any accident without a son, the husband of that daughter may, without hesitation, possess himself of her property.

136. By that male child, whom a daughter thus appointed, either by an implied intention or a plain declaration, shall produce from a husband of an equal class, the maternal grandfather becomes in law the father of a son: let that son give the funeral cake and possess the inheritance.

137. By a son, a man obtains victory over all people; by a son's son, he enjoys immortality; and, afterwards, by the son of that grandson, he reaches the solar abode.

138. Since the son (*tráyaté*) delivers his father from the hell named *put*, he was, therefore, called *puttra* by BRAHMA' himself:

139. Now between the sons of his son and of his daughter *thus appointed,* there subsists in this world no difference; for even the son of such a daughter delivers him in the next, like the son of his son.

140. Let the son of such a daughter offer the first funeral cake to his mother; the second to her father; the third, to her paternal grandfather.

141. OF the man, to whom a son has been given, *accord-*

ing to a subsequent law, adorned with every virtue, that son shall take *a fifth or sixth part of* the heritage, though brought from a different family.

142. A given son must never claim the family and estate of his natural father: the funeral cake follows the family and estate; but of him, who has given away his son, the funeral oblation is extinct.

143. THE son of a wife, not authorized to have issue by another, and the son begotten, by the brother of the husband, on a wife, who has a son then living, are both unworthy of the heritage; one being the child of an adulterer, and the other produced through mere lust.

144. Even the son of a wife duly authorized, not begotten according to the law *already propounded*, is unworthy of the paternal estate; for he was procreated by an outcast:

145. But the son *legally* begotten on a wife, authorized for the purpose *before mentioned*, may inherit *in all respects, if he be virtuous and learned*, as a son begotten by the husband; since *in that case* the seed and the produce belong of right to the owner of the field.

146. He, who keeps the *fixed and moveable* estate of his *deceased* brother, maintains the widow, and raises up a son to that brother, must give to that son, *at the age of fifteen*, the whole of his brother's *divided* property.

147. Should a wife, even though legally authorized, produce a son by the brother, or any other *sapinda*, of her husband, that son, if begotten with *amorous embraces, and tokens of* impure desire, the sages proclaim base-born and incapable of inheriting.

148. THIS law, *which has preceded*, must be understood of a distribution among sons begotten on women of the same class: hear now the law concerning *sons by* several women of different classes.

149. If there be four wives of a *Bráhmen* in the direct order of the classes, and sons are produced by them all, this is the rule of partition *among them :*

150. The chief servant in husbandry, the bull kept for impregnating cows, the riding-horse or carriage, the *ring and other* ornaments, and the principal messuage, shall be

deducted from the inheritance and given to the *Bráhmen*-son, together with a larger share by way of pre-eminence.

151. Let the *Bráhmen* take three shares of the residue; the son of the *Cshatriyà*-wife, two shares; the son of the *Vaisyà*-wife, a share and a half; and the son of the *Súdrà*-wife, may take one share.

152. Or, *if no deduction be made,* let some person learned in the law divide the whole collected estate into ten parts, and make a legal distribution by this *following* rule:

153. Let the son of the *Bráhmanì* take four parts; the son of the *Cshatriyà* three; let the son of the *Vaisyà* have two parts; let the son of the *Súdrà* take a single part, *if he be virtuous.*

154. But whether the *Bráhmen* have sons, or have no sons, *by wives of the three first classes,* no more than a tenth part must be given to the son of a *Súdrà.*

155. The son of a *Bráhmen,* a *Cshatriya,* or a *Vaisya* by a woman of the servile class, shall inherit no part of the estate, *unless he be virtuous; nor jointly with other sons, unless his mother was lawfully married:* whatever his father may give him, let that be his own.

156. All the sons of twice-born men, produced by wives of the same class, must divide the heritage equally, after the younger brothers have given the first-born his deducted allotment.

157. For a *Súdrà* is ordained a wife of his own class, *and* no other: all, produced by her, shall have equal shares, though she have a hundred sons.

158. Of the twelve sons of men, whom Menu, sprung from the Self-existent, has named, six are kinsmen and heirs; six, not heirs, *except to their own fathers,* but kinsmen.

159. The son begotten by a man himself *in lawful wedlock,* the son of his wife begotten *in the manner before described,* a son given *to him,* a son made *or adopted,* a son of concealed birth, *or whose real father cannot be known,* and a son rejected *by his natural parents,* are the six kinsmen and heirs:

160. The son of a young woman *unmarried*, the son of a pregnant bride, a son bought, a son by a twice-married woman, a son self-given, and a son by a *Súdrà*, are the six kinsmen, but not heirs *to collaterals*.

161. Such advantage as a man would gain, who should attempt to pass deep water in a boat made of woven reeds, that father obtains, who passes the gloom of death, leaving only contemptible sons, *who are the eleven, or at least the six, last mentioned*.

162. If the two heirs of one man be the son of his own body and a son of his wife by a kinsman, *the former of whom was begotten after his recovery from an illness thought incurable*, each of the sons, exclusively of the other, shall succeed to the whole estate of his natural father.

163. The son of his own body is the sole heir to his estate, but, that all evil may be removed, let him allow a maintenance to the rest;

164. And, when the son of the body has taken an account of the paternal inheritance, let him give a sixth part of it to the son of the wife begotten by a kinsman, *before his father's recovery*; or a fifth part, *if that son be eminently virtuous*.

165. The son of the body, and the son of the wife, may succeed *immediately* to the paternal estate *in the manner just mentioned*; but the ten other sons can only succeed in order to the family duties and to their share of the inheritance, *those last named being excluded by any one of the preceding*.

166. HIM, whom a man has begotten on his own wedded wife, let him know to be the first in rank, as the son of his body.

167. He, who was begotten, according to law, on the wife of a man deceased, or impotent, or disordered, after due authority given to her, is called the lawful son of the wife.

168. He, whom his father, or mother *with her husband's assent*, gives to another as his son, provided that the donee have no issue, if the boy be of the same class and affectionately disposed, is considered as a son given, *the gift being confirmed* by *pouring* water.

169. He is considered as a son made *or adopted*, whom a

man takes as his own son, the boy being equal in class, endued with filial virtues, acquainted with *the* merit *of performing obsequies to his adopter*, and with *the* sin *of omitting them*.

170. In whose mansion soever a male child shall be brought forth *by a married woman, whose husband has long been absent*, if the real father cannot be discovered, *but if it be probable that he was of an equal class*, that child belongs to the lord of the *unfaithful* wife, and is called a son of concealed birth in his mansion.

171. A boy whom a man receives as his own son, after he has been deserted *without just cause*, by his parents, or either of them, *if one be dead*, is called a son rejected.

172. A son, whom the daughter of any man privately brings forth in the house of her father, if she *afterwards* marry her lover, is described as a son begotten on an unmarried girl.

173. If a pregnant young woman marry, whether her pregnancy be known or unknown, the male child in her womb belongs to the bridegroom, and is called a son received with his bride.

174. He is called a son bought, whom a man, for the sake of having a son *to perform his obsequies*, purchases from his father and mother, whether the boy be equal or unequal *to himself in good qualities, for in class all adopted sons must be equal*.

175. He, whom a woman, either forsaken by her lord or a widow, conceived by a second husband, whom she took by her own desire, *though against law*, is called the son of a woman twice married:

176. If, *on her second marriage*, she be still a virgin, or if she left her husband under the age of puberty and return to him at his full age, she must again perform the nuptial ceremony *either* with her second, *or her young and deserted*, husband.

177. He, who has lost his parents, or been abandoned *by them* without just cause, and offers himself to a man *as his son*, is called a son self-given.

178. A son, begotten through lust on a *Súdrà* by a man

of the priestly class, is even as a corpse, though alive, and is thence called in law a living corpse:

179. But a son, begotten by a man of the servile class on his female slave, or on the female slave of his male slave, may take a share of the heritage, if permitted *by the other sons:* thus is the law established.

180. These eleven sons (the son of the wife, and the rest as enumerated) are allowed by wise legislators to be substitutes *in order* for sons of the body, for the sake of preventing a failure of obsequies;

181. Though such, as are called sons for that purpose, but were produced from the manhood of others, belong in truth to the father, from whose manhood they severally sprang, and to no other, *except by a just fiction of law.*

182. IF, among several brothers of the whole blood, one have a son born, MENU pronounces them all fathers of a male child by means of that son; *so that, if such nephew would be the heir, the uncles have no power to adopt sons:*

183. *Thus* if, among all the wives of the same husband, one bring forth a male child, MENU has declared them all, by means of that son, to be mothers of male issue.

184. On failure of the best, *and* of the *next* best *among those twelve sons,* let the inferiour in order take the heritage; but, if there be many of equal rank, let all be sharers of the estate.

185. Not brothers, nor parents, but sons, *if living, or their male issue,* are heirs to the deceased, but of him, who leaves no son, *nor a wife, nor a daughter,* the father shall take the inheritance; and, *if he leave neither father, nor mother,* the brothers.

186. To three *ancestors* must water be given at their obsequies; for three (*the father, his father, and the paternal grandfather*) is the funeral cake ordained: the fourth *in descent* is the giver *of oblations to them; and their heir, if they die without nearer descendants;* but the fifth has no concern *with the gift of the funeral cake.*

187. To the nearest *sapinda, male or female,* after him in the third degree, the inheritance *next* belongs; then, on failure of *sapindas* and of their issue, the *samánódaca,*

or distant kinsman, shall be the heir; or the spiritual preceptor, or the pupil, *or the fellow-student, of the deceased:*

188. On failure of all those, the lawful heirs are such *Bráhmens,* as have read the three *Védas,* as are pure *in body and mind,* as have subdued their passions; *and they must consequently offer the cake:* thus the rites of obsequies cannot fail.

189. The property of a *Bráhmen* shall never be taken *as an escheat* by the king; this is a fixed law: but the wealth of the other classes, on failure of all heirs, the king may take.

190. If the widow of a man, who died without a son, raise up a son to him by one of his kinsmen, let her deliver to that son, *at his full age,* the collected estate of the deceased, whatever it be.

191. If two sons, begotten by two *successive husbands, who are both dead,* contend for their property, then in the hands of their mother, let each take, exclusive of the other, his own father's estate.

192. On the death of the mother, let all the uterine brothers and the uterine sisters, *if unmarried,* equally divide the maternal estate: *each married sister shall have a fourth part of a brother's allotment.*

193. Even to the daughters of those daughters, it is fit, that something should be given, from the assets of their maternal grandmother, on the score of natural affection.

194. What was given before the nuptial fire, what was given on the bridal procession, what was given in token of love, and what was received from a brother, a mother, or a father, are considered as the six-fold *separate* property of a *married* woman:

195. What she received after marriage from the family of her husband, and what her affectionate lord may have given her, shall be inherited, even if she die in his life-time, by her children.

196. It is ordained, that the property of a woman, married by the ceremonies called *Bráhma, Daiva, A'rsha, Gándharva,* or *Prájápatya,* shall go to her husband, if she die without issue.

197. But her wealth given on the marriage called *A'sura*, or on either of the *two* others, is ordained, on her death without issue, to become the property of her father and mother.

198. If a widow, *whose husband had other wives of different classes*, shall have received wealth at any time *as a gift* from her father, *and shall die without issue*, it shall go to the daughter of the *Bráhmanì*-wife, or to the issue of that daughter.

199. A woman should never make a hoard from the goods of her kindred, *which are* common to *her and* many; or even from the property of her lord, without his assent.

200. Such ornamental apparel, as women wear during the lives of their husbands, the heirs of those husbands shall not divide among themselves: they, who divide it among themselves, fall deep *into sin*.

201. Eunuchs and outcasts, persons born blind or deaf, madmen, idiots, the dumb, and such as have lost the use of a limb, are excluded from a share of the heritage;

202. But it is just, that the heir, who knows his duty, should give all of them food and raiment *for life* without stint, according to the best of his power: he, who gives them nothing, sinks assuredly *to a region of punishment*.

203. If the eunuch and the rest should at any time desire to marry, *and if the wife of the eunuch should raise up a son to him by a man legally appointed, that son and* the issue of such, as have children, shall be capable of inheriting.

204. After the death of the father, if the eldest brother acquire *wealth by his own efforts before partition*, a share of that *acquisition* shall go to the younger brothers, if they have made a due progress in learning;

205. And if all of them, being unlearned, acquire property *before partition* by their own labour, there shall be an equal division of that property *without regard to the first-born;* for it was not the wealth of their father: this rule is clearly settled.

206. Wealth, however, acquired by learning, belongs exclusively to any one *of them, who acquired it:* so does any

thing given by a friend, received on account of marriage, or presented as a mark of respect to a guest.

207. If any one of the brethren has a competence from his own occupation, and wants not the property *of his father*, he may debar himself from his own share, some trifle being given him as a consideration, *to prevent future strife.*

208. What a brother has acquired by labour or skill, without using the patrimony, he shall not give up without his assent; for it was gained by his own exertion:

209. And if a son, by his own efforts, recover *a debt or property unjustly detained*, which could not be recovered before by his father, he shall not, unless by his free will, put it into parcenary with his brethren, since in fact it was acquired by himself.

210. If brethren, once divided and living again together as parceners, make a second partition, the shares must in that case be equal; and the first-born shall have no right of deduction.

211. Should the eldest or youngest of several brothers be deprived of his share *by a civil death on his entrance into the fourth order*, or should any one of them die, his *vested interest in a* share shall not wholly be lost;

212. But, *if he leave neither son, nor wife, nor daughter, nor father, nor mother,* his uterine brothers and sisters, and such brothers as were re-united after a separation, shall assemble and divide his share equally.

213. Any eldest brother, who from avarice shall defraud his younger brother, shall forfeit *the honours of* his primogeniture, be deprived of his own share, and pay a fine to the king.

214. All those brothers, who are addicted to any vice, lose their title to the inheritance: the first-born shall not appropriate it to himself, but shall give shares to the youngest, *if they be not vicious.*

215. If, among undivided brethren *living* with their father, there be a common exertion for common gain, the father shall never make an unequal division among them, *when they divide their families.*

216. A son, born after a division *in the lifetime of his father,* shall alone inherit the patrimony, or shall have a share of it with the divided brethren, if they return and unite themselves with him.

217. Of a son, dying childless *and leaving no widow,* the *father and* mother shall take the estate; and, the mother also being dead, the paternal *grandfather and* grandmother shall take the heritage, *on failure of brothers and nephews.*

218. When all the debts and wealth have been justly distributed according to law, any property, that may afterwards be discovered, shall be subject to a similar distribution.

219. Apparel, carriages, or riding-horses, and ornaments *of ordinary value, which any of the heirs had used by consent before partition,* dressed rice, water *in a well or cistern,* female slaves, family priests, or spiritual counsellors, and pasture ground for cattle, the wise have declared indivisible, *and still to be used as before.*

220. Thus have the laws of inheritance, and the rule for the conduct of sons (whether the son of the wife or others) been expounded to you in order: learn at present the law concerning games of chance.

221. Gaming, either with inanimate or with animated things, let the king exclude wholly from his realm: both those modes of play cause destruction to princes.

222. Such play with dice *and the like,* or by matches *between rams and cocks,* amounts to open theft; and the king must ever be vigilant in suppressing both *modes of play:*

223. Gaming with lifeless things is known among men by the name of *dyúta;* but *samáhwaya* signifies a match between living creatures.

224. Let the king punish corporally at discretion both the gamester and the keeper of a gaming-house, whether they play with inanimate or animated things; and men of the servile class, who wear the *string and other* marks of the twice-born.

225. Gamesters, publick dancers and singers, revilers

of scripture, open hereticks, men who perform not the duties of their several classes, and sellers of spirituous liquor, let him instantly banish from the town :

226. Those wretches, lurking like unseen thieves in the dominion of a prince, continually harass his good subjects with their vitious conduct.

227. Even in a former creation was this *vice of* gaming found a great provoker of enmity: let no sensible man, therefore, addict himself to play even for his amusement:

228. On the man addicted to it, either privately or openly, let punishment be inflicted at the discretion of the king.

229. A MAN of the military, commercial, or servile class, who cannot pay a fine, shall discharge the debt by his labour: a priest shall discharge it by little and little.

230. For women, children, persons of crazy intellect, the old, the poor, and the infirm, the king shall order punishment with a small whip, a twig, or a rope.

231. THOSE ministers, who are employed in publick affairs, and, inflamed by the blaze of wealth, mar the business of any person concerned, let the king strip of all their property.

232. Such, as forge royal edicts, cause dissensions among the great ministers, or kill women, priests, or children, let the king put to death; and such, as adhere to his enemies.

233. Whatever business has at any time been transacted conformably to law, let him consider as finally settled, and refuse to unravel;

234. But whatever business has been concluded illegally by his ministers or by a judge, let the king himself re-examine; and let him fine them each a thousand *panas.*

235. The slayer of a priest, *a soldier or merchant* drinking *arak, or a priest drinking arak,* mead, or rum, he, who steals *the gold of a priest,* and he, who violates the bed of his *natural or spiritual* father, are all to be considered respectively as offenders in the highest degree, *except those whose crimes are not fit to be named :*

236. On such of those four, as have not actually per-

formed an expiation, let the king legally inflict corporal punishment, together with a fine.

237. For violating the paternal bed, let *the mark of* a female part be impressed *on the forehead with hot iron ;* for drinking spirits, a vintner's flag; for stealing sacred gold, a dog's foot; for murdering a priest, *the figure of* a headless corpse :

238. With none to eat with them, with none to sacrifice with them, with none to read with them, with none to be allied by marriage to them, abject and excluded from all social duties, let them wander over this earth :

239. Branded with *indelible* marks, they shall be deserted by their paternal and maternal relations, treated by none with affection, received by none with respect : such is the ordinance of MENU.

240. *Criminals of* all the classes, having performed an expiation, as ordained by law, shall not be marked on the forehead, but condemned to pay the highest fine :

241. For crimes by a priest, *who had a good character before his offence,* the middle fine shall be set on him ; or, *if his crime was premeditated,* he shall be banished from the realm, *taking* with *him* his effects and his family ;

242. But men of the other classes, who have committed those crimes, though without premeditation, shall be stripped of all their possessions ; and, if their offence was premeditated, shall be corporally, or even capitally, punished, *according to circumstances.**

243. LET no virtuous prince appropriate the wealth of a criminal in the highest degree ; for he, who appropriates it through covetousness, is contaminated with the same guilt :

244. Having thrown such a fine into the waters, let him offer it to VARUNA ; or let him bestow it on some priest of eminent learning in the scriptures :

245. VARUNA is the lord of punishment ; he holds a rod

* The translator has followed the commentator, in reading "shall be corporally or even capitally punished, *according to circumstances.*" The original simply decrees banishment as the punishment of the crime specified in the preceding verses.

even over kings; and a priest who has gone through the whole *Véda,* is *equal to* a sovereign of all the world.

246. Where the king abstains from receiving *to his own use* the wealth of such offenders, there children are born in due season and enjoy long lives;

247. *There* the grain of the husbandmen rises abundantly, as it was respectively sown; there no younglings die, nor is one deformed animal born.

248. SHOULD a man of the basest class, with preconceived malice, give pain to *Bráhmens,* let the prince corporally punish him by various modes, that may raise terrour.

249. A king is pronounced equally unjust in releasing the man who deserves punishment, and in punishing the man who deserves it not: he is just, who always inflicts the punishment ordained by law.

250. These established rules for administering justice between two litigant parties, have been propounded at length under eighteen heads.

251. THUS fully performing all duties required by law, let a king seek *with justice* to possess regions yet unpossessed, and, when they are in his possession, let him govern them well.

252. His realm being completely arranged and his fortresses amply provided, let him ever apply the most diligent care to eradicate *bad men resembling* thorny weeds, as the law directs.

253. By protecting such as live virtuously, and by rooting up such as live wickedly, those kings, whose hearts are intent on the security of their people, shall rise to heaven.

254. Of that prince, who takes a revenue, without restraining rogues, the dominions are thrown into disorder, and himself shall be precluded from a celestial abode;

255. But of him, whose realm, by the strength of his arm, is defended and free from terrour, the dominions continually flourish, like trees duly watered.

256. LET the king, whose emissaries are his eyes, discern well the two sorts of rogues, the open and the concealed, who deprive other men of their wealth:

257. Open rogues are they, who subsist by cheating in

various marketable commodities; and concealed rogues are they, who steal and rob in forests and the like secret places.

258. Receivers of bribes, extorters of money by threats, debasers of metals, gamesters, fortune-tellers, imposters, and professors of palmistry;

259. Elephant-breakers, and quacks, not performing what they engage to perform, pretended artists, and subtil harlots;

260. These and the like thorny weeds, overspreading the world, let the king discover with a quick sight, and others, who act ill in secret; worthless men, yet bearing the outward signs of the worthy.

261. Having detected them, by means of trusty persons disguised, who *pretend to* have the same occupation with them, and of spies placed in several stations, let him bring them by artifice into his power;

262. Then, having fully proclaimed their respective criminal acts, let the king inflict punishment legally, according to the crimes proved;

263. Since, without certain punishment, it is impossible to restrain the delinquency of scoundrels with depraved souls, who secretly prowl over this earth.

264. Much-frequented places, cisterns of water, bake-houses, the lodgings of harlots, taverns and victualling-shops, squares where four ways meet, large well known trees, assemblies, and publick spectacles;

265. Old court-yards, thickets, the houses of artists, empty mansions, groves, and gardens;

266. These and the like places let the king guard, for the prevention of robberies, with soldiers, both stationary and patroling, as well as with secret watchmen.

267. By the means of able spies, once thieves, *but reformed,* who, well knowing the various machinations of rogues, associate with them and follow them, let the king detect and draw them forth:

268. On pretexts of dainty food and gratifications, or of seeing some wise priest, *who could ensure their success,* or on pretence of *mock battles and the like* feats of strength, let the spies procure an assembly of those men..

269. Such as refuse to go forth on those occasions, deterred

by *former punishments, which* the king *had inflicted,* let him *seize* by force, *and* put to death, *on proof of their guilt,* with their friends and kinsmen, paternal and maternal, *if proved to be their confederates.*

270. Let not a just prince kill a man convicted of simple theft, unless taken with the mainer or with implements of robbery; but any thief, taken with the mainer, or with such implements, let him destroy without hesitation;

271. And let them slay all those, who give robbers food in towns, or supply them with implements, or afford them shelter.

272. Should those men, who were appointed to guard any districts, or those of the vicinity, who were employed for that purpose, be neutral in attacks by robbers *and inactive in seizing them,* let him instantly punish them as thieves.

273. Him, who lives *apparently* by the rules of his class, but *really* departs from those rules, let the king severely punish by fine, as a wretch, who violates his duty.

274. They, who give no assistance on the plundering of a town, on the forcible breaking of a dike, or on seeing a robbery on the highway, shall be banished with their cattle and utensils.

275. Men, who rob the king's treasure, or obstinately oppose his commands, let him destroy by various modes of just punishment; and those, who encourage his enemies.

276. Of robbers, who break a wall or partition, and commit theft in the night, let the prince order the hands to be lopped off, and themselves to be fixed on a sharp stake.

277. Two fingers of a cutpurse, *the thumb and the index,* let him cause to be amputated on his first conviction; on the second, one hand and one foot; on the third, he shall suffer death.

278. Such, as give thieves fire, such as give them food, such as give them arms and apartments, and such as knowingly receive a thing stolen, let the king punish as *he would punish* a thief.

279. The breaker of a *dam to secure a* pool, let him punish by long immersion under water, or by keen corporal

suffering; or the offender shall repair it, but must pay the highest mulct.

280. Those, who break open the treasury, or the arsenal, or the temple of a deity, and those, who carry off royal elephants, horses, or cars, let him without hesitation destroy.

281. He, who shall take away the water of an ancient pool, or shall obstruct a water-course, must be condemned to pay the lowest usual amercement.

282. He, who shall drop his ordure on the king's highway, except in case of necessity, shall pay two *panas* and immediately remove the filth;

283. But a person in urgent necessity, a very old man, a pregnant woman, and a child, only deserve reproof, and shall clean the place themselves: that is a settled rule.

284. All physicians and surgeons acting unskilfully in their several professions, must pay for *injury to* brute animals the lowest, but for *injury to* human creatures the middle, amercement.

285. The breaker of a foot-bridge, of a publick flag, of a palisade, and of idols *made of clay*, shall repair what he has broken, and pay a mulct of five hundred *panas*.

286. For mixing impure with pure commodities, for piercing fine gems, *as diamonds or rubies*, and for boring *pearls or inferiour gems* improperly, the fine is the lowest of the three; *but damages must always be paid.*

287. The man, who shall deal unjustly with purchasers at a fair price *by delivering goods of less value*, or shall sell at a high price *goods of ordinary value*, shall pay *according to circumstances*, the lowest or the middle amercement.

288. Let the king place all prisons near a publick road, where offenders may be seen wretched or disfigured.

289. Him, who breaks down a *publick* wall, him, who fills up a *publick* ditch, him, who throws down a *publick* gate, the king shall speedily banish.

290. For all sacrifices to destroy innocent men, the punishment is a fine of two hundred *panas;* and for machinations with *poisonous* roots, and for the various *charms*

and witcheries *intended* to kill, by persons not effecting their purpose.

291. The seller of bad grain for good, or of good seed placed at the top *of the bag, to conceal the bad below*, and the destroyer of known land-marks, must suffer such corporal punishment as will disfigure them;

292. But the most pernicious of all deceivers is a goldsmith, who commits frauds: the king shall order him to be cut piecemeal with razors.

293. For stealing implements of husbandry, weapons, and prepared medicines, let the king award punishment according to the time and according to their use.

294. The king, and his council, his metropolis, his realm, his treasure, and his army, together with his ally, are the seven members of his kingdom; *whence* it is called *Septánga:*

295. Among those seven members of a kingdom, let him consider the ruin of the first, and so forth in order, as the greatest calamity;

296. Yet, in a seven-parted kingdom here below, there is no supremacy among the several parts, from any pre-eminence in useful qualities: but all the parts must reciprocally support each other, like the three staves of a holy mendicant:

297. In these and those acts, *indeed*, this and that member may be distinguished; *and* the member by which any affair is transacted, has the pre-eminence in that particular affair.

298. When the king employs emissaries, when he exerts power, when he regulates publick business, let him invariably know both his own strength and that of his enemy,

299. With all *their several* distresses and vices: let him then begin his operations, having maturely considered the greater and less importance *of particular acts:*

300. Let him, *though frequently disappointed,* renew his operations, how fatigued soever, again and again; since fortune always attends the man, who, *having begun well,* strenuously renews his efforts.

301. All the ages, called *Satya, Trétá, Dwápara,* and

Cali, depend on the conduct of the king; who is declared *in turn* to represent each of those ages:

302. Sleeping, he is the *Cali* age; waking, the *Dwápara;* exerting himself in action, the *Trétá;* living virtuously, the *Satya.*

303. Of INDRA, of SU'RYA, of PAVANA, of YAMA, of VARUNA, of CHANDRA, of AGNI, and of PRIT'HIVÌ, let the king emulate the power and attributes.

304. As INDRA sheds plentiful showers during the four rainy months, thus let him, acting like the regent of clouds, rain just gratifications over his kingdom:

305. As SU'RYA with strong rays draws up the water during eight months, thus let him, performing the function of the sun, gradually draw from his realm the legal revenue:

306. As PAVANA, when he moves, pervades all creatures, thus let him, imitating the regent of wind, pervade *all places* by his concealed emissaries:

307. As YAMA, at the appointed time, punishes friends and foes, *or those who revere, and those who contemn, him,* thus let the king, resembling the judge of departed spirits, punish *offending subjects:*

308. As VARUNA most assuredly binds the guilty in fatal cords, thus let him, representing the genius of water, keep offenders in close confinement:

309. When the people are no less delighted on seeing the king, than on seeing the full moon, he appears in the character of CHANDRA:

310. Against criminals let him ever be ardent in wrath, let him be splendid in glory, let him consume wicked ministers, thus emulating the functions of AGNI, regent of fire.

311. As PRIT'HIVÌ supports all creatures equally, thus a king, sustaining all subjects, resembles in his office the goddess of earth.

312. Engaged in these duties and in others, with continual activity, let the king, *above all things* restrain robbers, both in his own territories and in those of other princes, *from which they come, or in which they seek refuge.*

313. LET him not, although in the greatest distress *for money,* provoke *Bráhmens* to anger *by taking their pro-*

perty; for they, once enraged, could immediately *by sacrifices and imprecations* destroy him with his troops, elephants, horses and cars.

314. Who, without perishing, could provoke those holy men, by whom, *that is, by whose ancestors, under* BRAHMA', the all-devouring fire was created, the sea with waters not drinkable, and the moon with its wane and increase?

315. What prince could gain wealth by oppressing those who, if angry, could frame other worlds and regents of worlds, could give being to new gods and mortals.

316. What man, desirous of life, would injure those, by the aid of whom, *that is by whose oblations*, worlds and gods perpetually subsist; those, who are rich in the learning of the *Véda?*

317. A *Bráhmen*, whether learned or ignorant, is a powerful divinity; even as fire is a powerful divinity, whether consecrated or popular.

318. Even in places for burning the dead, the bright fire is undefiled; and, when presented with clarified butter at *subsequent* sacrifices, blazes again with extreme splendour:

319. Thus, although *Bráhmens* employ themselves in all sorts of mean occupation, they must invariably be honoured; for they are something transcendently divine.

320. Of a military man, who raises his arm violently on all occasions against the priestly class, the priest himself shall be the chastiser; since the soldier originally proceeded from the *Bráhmen*.

321. From the waters arose fire; from the priest, the soldier; from stone, iron: their all-penetrating force is ineffectual in the place, whence they respectively sprang.

322. The military class cannot prosper without the sacerdotal, nor can the sacerdotal be raised without the military: both classes, by cordial union, are exalted in this world and in the next.

323. SHOULD the king *be near his end through some incurable disease, he* must bestow on the priests all his riches accumulated from legal fines; and, having duly committed his kingdom to his son, let him seek death in battle, *or, if there be no war, by abstaining from food.*

324. Thus conducting himself, *and* ever firm in discharging his royal duties, let the king employ all his ministers in acts beneficial to his people.

325. These rules for the conduct of a military man having been propounded, let mankind next hear the rules for the commercial and servile classes in due order.

326. LET the *Vaisya*, having been girt with his proper sacrificial thread, and having married an equal wife, be always attentive to his business *of agriculture and trade*, and to that of keeping cattle;

327. Since the Lord of created beings, having formed herds, and flocks, intrusted them to the care of the *Vaisya*, while he intrusted the whole human species to the *Bráhmen* and the *Cshatriya*:

328. Never must a *Vaisya* be disposed to say, "I keep no cattle;" nor, he being willing to keep them, must they by any means be kept by men of another class.

329. Of gems, pearls, and coral, of iron, of woven cloth, of perfumes and of liquids, let him well know the prices both high and low:

330. Let him be skilled likewise in *the time and manner of* sowing seeds, and in the bad or good qualities of land; let him also perfectly know the correct modes of measuring and weighing,

331. The excellence or defects of commodities, the advantages and disadvantages of different regions, the probable gain or loss on vendible goods, and the means of breeding cattle with large augmentation:

332. Let him know the just wages of servants, the various dialects of men, the best way of keeping goods, and *whatever else belongs to* purchase and sale.

333. Let him apply the most vigilant care to augment his wealth by *performing* his duty; and, with great solicitude, let him give nourishment to all sentient creatures.

334. SERVILE attendance on *Bráhmens* learned in the *Véda*, chiefly on such as keep house and are famed for virtue, is of itself the highest duty of a *Súdra*, and leads him to future beatitude.

335. Pure *in body and mind*, humbly serving the three

higher classes, mild in speech, never arrogant, ever seeking refuge in *Bráhmens* principally, he may attain the most eminent class *in another transmigration.*

336. This clear system of duties has been promulgated for the four classes, when they are not in distress for subsistence; now learn in order their several duties in times of necessity.

CHAPTER X.

ON THE MIXED CLASSES; AND ON TIMES OF DISTRESS.

1. Let the three twice-born classes, remaining firm in their several duties, carefully read the *Véda;* but a *Bráhmen* must explain it to them, not *a man of* the other two *classes:* this is an established rule.

2. The *Bráhmen* must know the means of subsistence ordained by law for all the classes, and must declare them to the rest: let himself likewise act in conformity *to law.*

3. From priority of birth, from superiority of origin, from a more exact knowledge of scripture, and from a distinction in the sacrificial thread, the *Bráhmen* is the lord of all classes.

4. The three twice-born classes are the sacerdotal, the military, and the commercial; but the fourth, or servile, is once-born, *that is, has no second birth from the* gáyatrí, *and wears no thread:* nor is there a fifth pure class.

5. In all classes they, and they only, who are born, in a direct order, of wives equal in class and virgins at the time of marriage, are to be considered as the same in class *with their fathers:*

6. Sons, begotten by twice-born men, on women of the class next immediately below them, wise legislators call similar, *not the same,* in class *with their parents,* because they are degraded, *to a middle rank between both,* by the lowness of their mothers: *they are named in order,* Múrdhábhishicta, Máhishya, *and* Carana, *or* Cáyast'ha; *and their several employments are teaching military exercises; musick, astronomy, and keeping herds; and attendance on princes.*

7. Such is the primeval rule for the sons of women one

degree lower *than their husbands:* for the sons of women two or three degrees lower, let this rule of law be known.

8. From a *Bráhmen*, on a wife of the *Vaisya*-class, is born a son called *Ambasht'ha*, or *Vaidya*, on a *Súdrà*-wife a *Nisháda*, named also *Párasava:*

9. From a *Cshatriya*, on a wife of the *Súdra*-class, springs a creature, called *Ugra*, with a nature partly warlike and partly servile, ferocious in his manners, cruel in his acts.

10. The sons of a *Bráhmen* by *women of* three *lower* classes, of a *Cshatriya* by *women of* two, and of a *Vaisya* by one *lower* class, are called *Apasadáh*, or degraded *below their fathers.*

11. From a *Cshatriya*, by a *Bráhmenì*-wife, springs a *Súta* by birth; from a *Vaisya*, by a military or sacerdotal wife, spring a *Mágadha* and a *Vaidéha.*

12. From a *Súdra*, on women of the commercial, military, and priestly classes, are born sons of a mixed breed, called *A'yógava*, *Cshattrĭ*, and *Chandála*, the lowest of mortals.

13. As the *Ambasht'ha* and *Ugra*, born in a direct order, with one class between *those of their parents*, are considered in law, so are the *Cshattrĭ*, and the *Vaidéha*, born in an inverse order *with one intermediate class; and all four may be touched without impurity.*

14. Those sons of the twice-born, who are begotten on women without an interval (*Antara*) between the classes mentioned in order, the wise call *Anantaras*, giving them a *distinct* name from the lower degree of their mothers.

15. From a *Bráhmen*, by a girl of the *Ugra*-tribe, is born an *A'vrĭta;* by one of the *Ambast'ha*-tribe, an *A'bhíra;* by one of the *A'yógava*-tribe, a *Dhigvana.*

16. The *Ayógava*, the *Cshattrĭ*, and the *Chandála*, the lowest of men, spring from a *Súdra* in an inverse order *of the classes*, and are *therefore*, all three excluded *from the performance of obsequies to their ancestors:*

17. From a *Vaisya* the *Mágadha* and *Vaidéha*, from a *Cshatriya* the *Súta* only, are born in an inverse order; and they are three other sons excluded *from funeral rites to their fathers.*

18. The son of a *Nisháda* by a woman of the *Súdra*-

class, is by tribe a *Puccasa;* but the son of a *Súdra* by a *Nishádì*-woman, is named *Cuccutaca.*

19. One, born of a *Cshattrĭ* by an *Ugrá,* is called *Swapáca;* and one, begotten by a *Vaidéha* on an *Ambashthì*-wife, is called *Véna.*

20. Those, whom the twice-born beget on women of equal classes, but who perform not the proper ceremonies *of assuming the thread, and the like,* people denominate *Vrátyas,* or excluded from the *gáyatrì.*

21. From such an outcast *Bráhmen* springs a son of a sinful nature, *who in different countries is* named a *Bhúrjacantaca,* an *A'vantya,* a *Vátadhána,* a *Pushpadha* and a *Saic'ha:*

22. From such an outcast *Cshatriya* comes a son called a *J'halla,* a *Malla,* a *Nich'hivi,* a *Nata,* a *Carana,* a *C'hasa,* and a *Dravira:*

23. From such an outcast *Vaisya* is born a son called *Sudhanwan, Chárya, Cárusha, Vijanman, Maitra,* and *Sátwata.*

24. By intermixtures of the classes, by their marriages with women who ought not to be married, and by their omission of prescribed duties, impure classes have been formed.

25. THOSE men of mingled births, who were born in the inverse order of classes, and who intermarry among themselves, I will now compendiously describe.

26. The *Súta,* the *Vaidéha,* and the *Chandála,* that lowest of mortals, the *Mágadha,* the *Cshattrĭ* by tribe, and the *A'yógava.*

27. These six beget similar sons on women of their own classes, or on women of the same class with their mothers; and they produce the like from women of the two highest classes, *and of the lowest:*

28. As a twice-born son may spring from a *Bráhmen* by women of two classes out of three, *a similar son,* when there is no interval, and *an equal son* from a woman of his own class, it is thus in the case of the low tribes in order.

29. Those six beget, on women of their own tribes,

reciprocally, very many despicable and abject races even more foul than their begetters.

30. Even as a *Súdra* begets, on a *Bráhmenì*-woman, a son more vile than himself, thus any other low man begets, on *women of* the four classes, a son yet lower.

31. The six low classes, marrying inversely, beget fifteen yet lower tribes, the base producing still baser; *and in a direct order they produce fifteen more.*

32. A *Dasyu*, or outcast of any pure class, begets on an *A'yógavì*-woman a *Sairindhra*, who should know how to attend and to dress his master; though not a slave, he must live by slavish work, and may also gain subsistence by catching wild beasts in toils:

33. A *Vaidéha* begets on her a sweet-voiced *Maitréyaca*, who, ringing a bell at the appearance of dawn, continually praises great men:

34. A *Nisháda* begets on her a *Márgava*, or *Dása*, who subsists by his labour in boats, and is named *Caiverta* by those who dwell in *A'ryáverta, or the land of the venerable.*

35. Those three of a base tribe are severally begotten on *A'yógavì*-women, who wear the clothes of the deceased and eat reprehensible food.

36. From a *Nisháda* springs *by a woman of the* Vaidéha-*tribe*, a *Cárávara*, who cuts leather, and from a *Vaidéha* spring *by women of* the Cárávara *and* Nisháda-*casts*, an *Andhra* and a *Méda*, who must live without the town.

37. From a *Chandála* by a *Vaidéhì*-woman, comes a *Pándusópáca*, who works with cane and reeds; and from a *Nisháda*, an *Ahindica, who acts as a jailor.*

38. From a *Chandála*, by a *Puccasì*-woman, is born a *Sópáca*, who lives by punishing criminals *condemned by the king*, a sinful wretch ever despised by the virtuous.

39. A *Nishádì*-woman, by a *Chandála*, produces a son called *Antyávasáyin*, employed in places for burning the dead, contemned even by the contemptible.

40. These, among various mixed classes, have been described by their several fathers and mothers; and, whether concealed or open, they may be known by their occupations.

41. Six sons, *three* begotten on women of the same class, and *three* on women of lower classes, must perform the duties of twice-born men; but those, who are *born in an inverse order, and* called low-born, are equal, in respect of duty, to mere *Súdras.*

42. By the force of extreme devotion and of exalted fathers, all of them may rise *in time* to high birth, as *by the reverse* they may sink to a lower state, in every age among mortals in this inferiour world.

43. The following races of *Cshatriyas,* by their omission of holy rites and by seeing no *Bráhmens,* have gradually sunk among men, to the lowest of the four classes:

44. *Paund'racas, Odras,* and *Draviras; Cámbójas, Yavanas,* and *Sacas; Páradas, Pahlavas, Chínas, Cirátas, Deradas,* and *C' hasas;*

45. All those tribes of men, who sprang from the mouth, the arm, the thigh, and the foot of Brahma', *but* who became outcasts *by having neglected their duties,* are called *Dasyus,* or *plunderers,* whether they speak the language of *Mléchch' has,* or that of *A'ryas.*

46. Those sons of the twice-born, who are said to be degraded, and who are considered as low-born, shall subsist only by such employments, as the twice-born despise.

47. *Sútas* must live by managing horses and by driving cars; *Ambasht'has,* by curing disorders; *Vaidéhas,* by waiting on women; *Mágadhas,* by travelling with merchandize;

48. *Nishádas,* by catching fish; an *A'yógava,* by the work of a carpenter; a *Méda,* an *Andhra,* and (the sons of a *Bráhmen* by wives of the *Vaidéha* and *Ugra*-classes, respectively called) a *Chunchu* and a *Madgu,* by slaying beasts of the forest;

49. A *Cshattrĭ,* an *Ugra,* and a *Puccasa,* by killing or confining such animals as live in holes: *Dhigvanas,* by selling leather; *Vénas,* by striking musical instruments:

50. Near large publick trees, in places for burning the dead, on mountains, and in groves, let those tribes dwell, generally known, and engaged in their several works.

51. The abode of a *Chandála* and a *Swapáca* must be

out of the town; they must not have the use of entire vessels; their sole wealth must be dogs and asses:

52. Their clothes must be the mantles of the deceased; their dishes for food, broken pots; their ornaments, rusty iron; continually must they roam from place to place:

53. Let no man, who regards his duty religious and civil, hold any intercourse with them; let their transactions be confined to themselves, and their marriages only between equals:

54. Let food be given to them in potsherds, *but not by the hands of the giver;* and let them not walk by night in cities or towns:

55. By day they may walk about for the purpose of work, distinguished by the king's badges; and they shall carry out the corpse of every one, who dies without kindred: such is the fixed rule.

56. They shall always kill those, who are to be slain by the sentence of the law, and by the royal warrant; and let them take the clothes of the slain, their beds, and their ornaments.

57. Him, who was born of a sinful mother, *and consequently* in a low class, but is not openly known, who, though worthless in truth, bears the semblance of a worthy man, let people discover by his acts:

58. Want of virtuous dignity, harshness of speech, cruelty, and habitual neglect of prescribed duties, betray in this world the son of a criminal mother.

59. Whether a man of debased birth assume the character of his father or of his mother, he can at no time conceal his origin:

60. He, whose family had been exalted, but whose parents were criminal in marrying, has a base nature, according as the offence *of his mother* was great or small.

61. In whatever country such men are born, as destroy the purity of the four classes, that country soon perishes, together with the natives of it.

62. Desertion of life, without reward, for the sake of preserving a priest or a cow, a woman or a child, may cause the beatitude of those base-born tribes.

63. Avoiding all injury *to animated beings,* veracity, abstaining from theft, *and from unjust seizure of property,* cleanliness, and command over the bodily organs, form the compendious system of duty, which MENU has ordained for the four classes.

64. SHOULD the tribe sprung from a *Bráhmen,* by a *Súdrà*-woman, produce *a succession of children* by the marriages of its women with other *Bráhmens,* the low tribe shall be raised to the highest in the seventh generation.

65. As *the son of a Súdra* may *thus* attain the rank of a *Bráhmen,* and *as the son of* a *Bráhmen* may sink to a level with *Súdras,* even so must it be with him, who springs from a *Cshatriya;* even so with him, who was born of a *Vaisya.*

66. IF there be a doubt, as to the preference between him, who was begotten by a *Bráhmen* for his pleasure, *but not in wedlock,* on a *Súdrà*-woman, and him who was begotten by a *Súdra* on a *Bráhmenì,*

67. *Thus is it removed:* he, who was begotten by an exalted man on a base woman, may by his good acts become respectable; but he, who was begotten on an exalted woman by a base man, must himself continue base:

68. Neither of the two (as the law is fixed) shall be girt with a sacred string; not the former, because his mother was low; nor the second, because the order of the classes was inverted.

69. As good grain, springing from good soil, is in all respects excellent, thus a man, springing from a respectable father by a respectable mother, has a claim to the whole institution of the twice-born.

70. Some sages give a preference to the grain; others to the field; and others consider both field and grain; on this point the decision follows:

71. Grain, cast into bad ground, wholly perishes, and a good field, with no grain sown in it, is a mere heap of clods;

72. But since, by the virtue of eminent fathers, even the sons of wild animals, *as* Rìshyasrìnga, *and others,* have been transformed into holy men revered and extolled, the paternal side, therefore, prevails.

73. BRAHMA' himself, having compared a *Súdra,* who

performs the duties of the twice-born, with a twice-born man, who does the acts of a *Súdra*, said: "Those two are neither equal nor unequal," *that is, they are neither equal in rank, nor unequal in bad conduct.*

74. LET such *Bráhmens* as are intent on the means of attaining the supreme godhead, and firm in their own duties, completely perform, in order, the six following acts:

75. Reading the *Védas*, and teaching *others* to read them,* sacrificing, and assisting *others* to sacrifice, giving *to the poor, if themselves have enough*, and accepting *gifts from the virtuous if themselves are poor*, are the six prescribed acts of the first-born class;

76. But, among those six acts of a *Bráhmen*, three are his *means of* subsistence; assisting to sacrifice, teaching the *Védas*, and receiving gifts from a pure-handed giver.

77. Three acts of duty cease with the *Bráhmen*, and belong not to the *Cshatriya;* teaching the *Védas*, officiating at a sacrifice, and, thirdly, receiving presents:

78. Those *three* are also (by the fixed rule of law) forbidden to the *Vaisya;* since MENU, the lord of all men, prescribed not those acts to the two *classes, military and commercial.*

79. The means of subsistence, peculiar to the *Cshatriya*, are bearing arms, either held for striking or missile, to the *Vaisya*, merchandize, attending on cattle, and agriculture: but, *with a view to the next life*, the duties of both are almsgiving, reading, sacrificing.

80. Among the several occupations *for gaining a livelihood* the most commendable respectively for the sacerdotal, military, and mercantile classes, are teaching the *Véda*, defending the people, and commerce or keeping herds and flocks.

81. Yet a *Bráhmen*, unable to subsist by his duties just mentioned, may live by the duty of a soldier; for that is the next in rank.

82. If it be asked, how he must live, should he be unable to get a subsistence by either of those employments; *the answer is*, he may subsist as a mercantile man, applying himself *in person* to tillage and attendance on cattle:

83. But a *Bráhmen* and a *Cshatriya*, obliged to subsist by the acts of a *Vaisya*, must avoid with care, *if they can live by keeping herds*, the business of tillage, which gives great pain *to sentient creatures*, and is dependant on *the labour of* others, *as bulls and so forth.*

84. Some are of opinion, that agriculture is excellent; but it is a mode of subsistence which the benevolent greatly blame; for the iron-mouthed pieces of wood not only wound the earth, but the creatures dwelling in it.

85. If, through want of a virtuous livelihood, they cannot follow laudable occupations, they may then gain a competence of wealth by selling commodities usually sold by merchants, avoiding what ought to be avoided:

86. They must avoid selling liquids of all sorts, dressed grain, seeds of *tila*, stones, salt, cattle, and human creatures;

87. All woven cloth dyed red, cloth made of *sana*, of *cshumá*-bark, and of wool, even though not red; fruit, roots, and medicinal plants;

88. Water, iron, poison, flesh-meat, the moon-plant, and perfumes of any sort; milk, honey, butter-milk, clarified butter, oil of *tila*, wax, sugar, and blades of *cus'a*-grass;

89. All beasts of the forest, *as deer and the like;* ravenous beasts, birds, *and fish;* spirituous liquors, *níli*, or indigo, and *lácshá*, or lac; and all beasts with uncloven hoofs.

90. But the *Bráhmen*-husbandman may at pleasure sell pure *tila*-seeds for the purpose of holy rites, if he keep them not long *with a hope of more gain*, and shall have produced them by his own culture:

91. If he apply seeds of *tila* to any purpose but food, anointing, and sacred oblations, he shall be plunged, in the shape of a worm, together with his parents, into the ordure of dogs.

92. By selling flesh-meat, *lácshá*, or salt, a *Bráhmen* immediately sinks low; by selling milk three days, he falls to a level with a *Súdra;*

93. And by selling the other forbidden commodities with

his own free will, he assumes in this world, after seven nights, the nature of a mere *Vaisya.*

94. Fluid things may, however, be bartered for other fluids, but not salt for any thing liquid; so may dressed grain for grain undressed, and *tila*-seeds for grain in the husk, equal weights or measures being given and taken.

95. A MILITARY man, in distress, may subsist by all these means, but at no time must he have recourse to the highest, *or sacerdotal,* function.

96. A man of the lowest class, who, through covetousness, lives by the acts of the highest, let the king strip of all his wealth and instantly banish:

97. His own office, though defectively performed, is preferable to that of another, though performed completely; for he, who *without necessity* discharges the duties of another class, immediately forfeits his own.

98. A MERCANTILE man, unable to subsist by his own duties, may descend even to the servile acts of a *Súdra,* taking care never to do what ought never to be done; but, when he has gained a competence, let him depart from service.

99. A MAN of the fourth class, not finding employment by waiting on the twice-born, while his wife and son are tormented with hunger, may subsist by handicrafts:

100. Let him principally follow those mechanical occupations, *as joinery and masonry,* or those various practical arts, *as painting and writing,* by following which, he may serve the twice-born.

101. SHOULD a *Bráhmen,* afflicted and pining through want of food, choose rather to remain fixed in the path of his own duty, than to adopt the practice of *Vaisyas,* let him act in this manner:

102. The *Bráhmen,* having fallen into distress, may receive gifts from any person whatever; for by no sacred rule can it be shown, that absolute purity can be sullied.

103. From interpreting the *Véda,* from officiating at sacrifices, or from taking presents, though in modes generally disapproved, no sin is committed by priests *in distress;* for they are as pure as fire or water.

104. He, who receives food, when his life could not otherwise be sustained, from any man whatever, is no more tainted by sin, than the subtil ether by mud:

105. AJI'GARTA, dying with hunger, was going to destroy his own son (*named* SU'NAH-S'E'P'HA) *by selling him for some cattle;* yet he was guilty of no crime, since he only sought a remedy against famishing:

106. VA'MADE'VA, who well knew right and wrong, was by no means rendered impure, though desirous, when oppressed *with hunger*, of eating the flesh of dogs for the preservation of his life:

107. BHARADWA'JA, eminent in devotion, when he and his son were almost starved in a dreary forest, accepted several cows from the carpenter VRIDHU:

108. VISWA'MITRA too, than whom none better knew the distinctions between virtue and vice, resolved, when he was perishing with hunger, to eat the haunch of a dog, which he had received from a *Chandála.*

109. Among *the* acts *generally disapproved, namely,* accepting presents *from low men,* assisting *them* to sacrifice, and explaining the scripture *to them,* the receipt of presents is the meanest *in this world,* and the most blamed in a *Bráhmen* after his present life;

110. Because assisting to sacrifice and explaining the scripture are two acts always performed for those, whose minds have been improved *by the sacred initiation;* but gifts are also received from a servile man of the lowest class.

111. The guilt, incurred by assisting *low men* to sacrifice and by teaching *them* the scripture, is removed by repetitions of the *gáyatrì* and oblations to fire; but that, incurred by accepting gifts *from them,* is expiated only by abandoning the gifts and by rigorous devotion.

112. It were better for a *Bráhmen,* who could not maintain himself, to glean ears and grains after harvest from *the field of* any person whatever: gleaning whole ears would be better than accepting a present, and picking up single grains would be still more laudable.

113. *Bráhmens,* who keep house, and are in want of

any metals *except gold and silver*, or of other articles *for good uses*, may ask the king for them, if he be of the military class; but a king, *known to be avaricious and* unwilling to give, must not be solicited.

114. The foremost, *in order*, of these things may be received more innocently than that, which follows it: a field untilled, a tilled field, cows, goats, sheep, precious metals or gems, new grain, dressed grain.

115. THERE are seven virtuous means of acquiring property; succession, occupancy or donation, and purchase or exchange, *which are allowed to all classes;* conquest, *which is peculiar to the military class;* lending at interest, husbandry or commerce, *which belong to the mercantile class;* and acceptance of presents, *by the sacerdotal class*, from respectable men.

116. Learning, *except that contained in the scriptures*, art, *as mixing perfumes and the like*, work for wages, menial service, attendance on cattle, traffick, agriculture, content with little, alms, and receiving high interest on money, are ten modes of subsistence *in times of distress*.

117. Neither a priest nor a military man, *though distressed*, must receive interest on loans, but each of them, if he please, may pay *the* small interest *permitted by law, on borrowing* for some pious use, to the sinful man, *who demands it*.

118. A MILITARY king, who takes even a fourth part *of the crops of his realm* at a time of urgent necessity, *as of war or invasion*, and protects his people to the utmost of his power, commits no sin:

119. His peculiar duty is conquest, and he must not recede from battle; so that, while he defends by his arms the merchant and husbandman, he may levy the legal tax *as the price of protection*.

120. The tax on the mercantile class, *which in times of prosperity must be only a twelfth part of their crops, and a fiftieth of their personal profits*, may be an eighth of their crops *in a time of distress, or a sixth, which is the medium, or even a fourth in great public adversity;* but a twentieth of their *gains on* money, and other moveables,

is the highest *tax:* serving men, artisans, and mechanicks, must assist by their labour, *but at no time pay taxes.*

121. IF a *Súdra* want a subsistence *and cannot attend a priest,* he may serve a *Cshatriya;* or, *if he cannot wait on a soldier by birth,* he may gain his livelihood by serving an opulent *Vaisya.*

122. To him, who serves *Bráhmens* with a view to a heavenly reward, or even with a view to both *this life and the next,* the union of the word *Bráhmen* with his *name of servant* will assuredly bring success.

123. Attendance on *Bráhmens* is pronounced the best work of a *Súdra:* whatever else he may perform will comparatively avail him nothing.

124. They must allot him a fit maintenance according to their own circumstances, after considering his ability, his exertions, and the number of those, whom he must provide with nourishment:

125. What remains of their dressed rice must be given to him; and apparel which they have worn, and the refuse of their grain, and their old household furniture.

126. THERE is no guilt in a man of the servile class *who eats leeks and other forbidden vegetables:* he must not have the sacred investiture: he has no business with *the* duty *of making oblations to fire and the like;* but there is no prohibition against *his offering dressed grain as a sacrifice, by way of discharging* his own duty.

127. Even *Súdras,* who were anxious to perform their entire duty, and, knowing what they should perform, imitate the practice of good men *in the household sacraments,* but without any holy text, *except those containing praise and salutation,* are so far from sinning, that they acquire just applause:

128. As a *Súdra,* without injuring another man, performs the *lawful* acts of the twice-born, even thus, without being censured, he gains exaltation in this world and in the next.

129. No *superfluous* collection of wealth must be made by a *Súdra,* even though he has power *to make it,* since a servile man, who has amassed riches, *becomes proud, and, by his insolence or neglect,* gives pain even to *Bráhmens.*

130. SUCH, as have been fully declared, are the several duties of the four classes in distress for subsistence; and, if they perform them exactly, they shall attain the highest beatitude.

131. Thus has been propounded the system of duties, religious and civil, ordained for all classes: I next will declare the pure law of expiation for sin.

CHAPTER XI.

ON PENANCE AND EXPIATION.

1. HIM, who intends to marry for the sake of having issue; him, who wishes to make a sacrifice; him, who travels; him, who has given all his wealth at a sacred rite; him, who desires to maintain his preceptor, his father, or his mother; him, who needs a maintenance for himself, when he first reads the *Védas;* and him, who is afflicted with illness;

2. These nine *Bráhmens* let mankind consider as virtuous mendicants, called *snátacas;* and, to relieve their wants, let gifts *of cattle or gold* be presented to them in proportion to their learning:

3. To these most excellent *Bráhmens* must rice also be given, with holy presents *at oblations to fire and within the consecrated circle;* but the dressed rice, which others are to receive, must be delivered on the outside of the sacred hearth: *gold and the like may be given any where.*

4. On such *Bráhmens* as well know the *Véda,* let the king bestow, as it becomes him, jewels of all sorts, and the solemn reward for officiating at the sacrifice.

5. HE, who has a wife, and, having begged money *to defray his nuptial expences,* marries another woman, shall have no advantage but sensual enjoyment: the offspring belongs to the bestower of the gift.

6. LET every man, according to his ability, give wealth to *Bráhmens* detached from the world and learned in scripture: such a giver shall attain heaven after this life.

7. HE alone is worthy to drink the juice of the moon-plant, who keeps a provision of grain sufficient to supply those, whom the law commands him to nourish, for the term of three years or more;

8. But a twice-born man, who keeps a less provision of grain, yet presumes to taste the juice of the moon-plant, shall gather no fruit from that sacrament, even though he taste it at the first, *or solemn, much less at any occasional,* ceremony.

9. He, who bestows gifts on strangers, *with a view to worldly fame,* while he suffers his family to live in distress, though he has power *to support them,* touches his lips with honey, but swallows poison; such virtue is counterfeit:

10. Even what he does for the sake of his future spiritual body, to the injury of those, whom he is bound to maintain, shall bring him ultimate misery both in this life and in the next.

11. Should a sacrifice, performed by any twice-born sacrificer, and by a *Bráhmen* especially, be imperfect from the want of some ingredient, during the reign of a prince, who knows the law,

12. Let him take that article, for the completion of the sacrifice, from the house of any *Vaisya,* who possesses considerable herds, but neither sacrifices, nor drinks the juice of the moon-plant;

13. If such a *Vaisya* be not near, he may take two or three such necessary articles at pleasure from the house of a *Súdra;* since a *Súdra* has no business with solemn rites.

14. Even from the house of a *Bráhmen* or a *Cshatriya,* who possesses a hundred cows, but has no consecrated fire, or a thousand cows, but performs no sacrifice *with the moon-plant,* let a priest without scruple take *the articles wanted.*

15. From another *Bráhmen,* who continually receives presents but never gives, let him take such ingredients of the sacrifice, if not bestowed *on request:* so shall his fame be spread abroad, and his habits of virtue increase.

16. Thus, likewise, may a *Bráhmen,* who has not eaten at the time of six meals, *or has fasted three whole days,* take at the time of the seventh meal, *or on the fourth morning,* from the man, who behaves basely *by not offering him food,* enough to supply him till the morrow:

17. He may take it from the floor, where the grain is trodden out of the husk, or from the field, or from the house,

or from any place whatever; but if the owner ask *why he takes it,* the cause of the taking must be declared.

18. The wealth of a virtuous *Bráhmen* must at no time be seized by a *Cshatriya;* but, having no other means *to complete a sacrifice,* he may take the goods of any man, who acts wickedly, and of any, who performs not his religious duties:

19. He, who takes property from the bad *for the purpose before-mentioned,* and bestows it on the good, transforms himself into a boat, and carries both *the good and the bad* over *a sea of calamities.*

20. Wealth, possessed by men for the performance of sacrifices, the wise call the property of the gods; but the wealth of men, who perform no sacrifice, they consider as the property of demons.

21. Let no pious king fine the man, *who takes by stealth or by force what he wants to make a sacrifice perfect;* since it is the king's folly, that causes the hunger or wants of a *Bráhmen:*

22. Having reckoned up the persons, whom the *Bráhmen* is obliged to support, having ascertained his divine knowledge and moral conduct, let the king allow him a suitable maintenance from his own household;

23. And, having appointed him a maintenance, let the king protect him on all sides; for he gains from the *Bráhmen* whom he protects, a sixth part of *the reward for* his virtue.

24. LET no *Bráhmen* ever beg a gift from a *Súdra;* for, if he perform a sacrifice after such begging, he shall, in the next life, be born a *Chandála.*

25. The *Bráhmen* who begs any articles for a sacrifice, and disposes not of them all for that purpose, shall become a kite* or a crow for a hundred years.

26. Any evil-hearted wretch, who, through covetousness, shall seize the property of the gods or of *Bráhmens,* shall feed in another world on the orts of vultures.

27. THE sacrifice *Vaiswánarí* must be constantly performed on the first day of the new year, or on the new moon

* The *bhása* is explained to be a vulture, and not a kite, by Mr. Wilson.

of *Chaitra*, as an expiation for having omitted, *through mere forgetfulness*, the appointed sacrifices of cattle and the rites of the moon-plant:

28. But a twice-born man, who, without necessity, does an act allowed only in a case of necessity, reaps no fruit from it hereafter: thus has it been decided.

29. By the *Viswédévas*, by the *Sádhyas*, and by eminent *Rĭshis* of the sacerdotal class, the substitute was adopted for the principal act, when they were apprehensive of dying in times of imminent peril;

30. But no reward is prepared in a future state for that ill-minded man, who, when able to perform the principal sacrifice, has recourse to the substitute.

31. A Priest, who well knows the law, needs not complain to the king of any grievous injury; since, even by his own power, he may chastise those, who injure him:

32. His own power, *which depends on himself alone*, is mightier than the royal power, *which depends on other men:* by his own might, therefore, may a *Bráhmen* coerce his foes.

33. He may use, without hesitation, the powerful charms revealed to At'harvan, and *by him* to Angiras; for speech is the weapon of a *Bráhmen:* with that he may destroy his oppressors.

34. A soldier may avert danger from himself by the strength of his arm; a merchant and a mechanick, by their property; but the chief of the twice-born, by holy texts and oblations to fire.

35. A priest, who performs his duties, who justly corrects *his children and pupils*, who advises expiations for sin, and who loves all animated creatures, is truly called a *Bráhmen:* to him let no man say any thing unpropitious, nor use any offensive language.

36. Let not a girl, nor a young woman *married or unmarried*, nor a man with little learning, nor a dunce, perform an oblation to fire; nor a man diseased, nor one uninvested *with the sacrificial string;*

37. Since any of those persons, who make such an oblation, shall fall into a region of torture, together with him,

who suffers his hearth to be used: he alone, who perfectly knows the sacred ordinances, and has read all the *Védas,* must officiate at an oblation to holy fire.

38. A *Bráhmen* with abundant wealth, who presents not the priest, that hallows his fire, with a horse consecrated to PRAJA'PATI, becomes equal to one who has no fire hallowed.

39. Let him, who believes the scripture, and keeps his organs in subjection, perform all other pious acts; but never in this world let him offer a sacrifice with trifling gifts to the officiating priest:

40. The organs of sense and action, reputation *in this life,* a heavenly mansion *in the next,* life *itself,* a great name *after death,* children *and* cattle, are all destroyed by a sacrifice offered with trifling presents: let no man, therefore, sacrifice without liberal gifts.

41. THE priest, who keeps a sacred hearth, but voluntarily neglects *the morning and evening oblations to* his fires, must perform, *in the manner to be described,* the penance *chándráyana* for one month; since that *neglect* is equally sinful with the slaughter of a son.

42. They, who receive property from a *Súdra* for the performance of rites to consecrated fire, are contemned, as ministers of the base, by all such as pronounce texts of the *Véda:*

43. Of those ignorant priests, who serve the holy fire for the wealth of a *Súdra,* the giver shall always tread on the foreheads, and thus pass over miseries *in the gloom of death.*

44. EVERY man, who does not an act prescribed, or does an act forbidden, or is guilty of excess, *even* in *legal* gratifications of the senses, must perform an expiatory penance.

45. Some of the learned consider an expiation as confined to involuntary sin; but others, from the evidence of the *Véda,* hold it effectual even in the case of a voluntary offence:

46. A sin, involuntarily committed, is removed by repeating certain texts of the scripture; but a sin committed intentionally, through strange infatuation, by harsh penances of different sorts.

47. IF a twice-born man, by the will of GOD in this

world, or from his natural birth, have any corporeal mark of an expiable sin committed in this or a former state, he must hold no intercourse with the virtuous, while his penance remains unperformed.

48. Some evil-minded persons, for sins committed in this life, and some for bad actions in a preceding state, suffer a morbid change in their bodies:

49. A stealer of gold *from a Bráhmen* has whitlows on his nails; a drinker of spirits, black* teeth; the slayer of a *Bráhmen*, a marasmus; the violator of his *guru's* bed, a deformity in the generative organs;

50. A malignant informer, fetid ulcers in his nostrils; a false detractor, stinking breath; a stealer of grain, the defect of some limb; a mixer *of bad wares with good*, some redundant member;

51. A stealer of dressed grain, dyspepsia; a stealer of holy words, *or an unauthorized reader of the scriptures*, dumbness; a stealer of clothes, leprosy; a horse-stealer, lameness;

52. The stealer of a lamp, total blindness; the mischievous extinguisher of it, blindness in one eye; a delighter in hurting sentient creatures, perpetual illness; an adulterer, windy swellings in his limbs:

53. Thus, according to the diversity of actions, are born men despised by the good, stupid, dumb, blind, deaf, and deformed.

54. Penance, therefore, must invariably be performed for the sake of expiation; since they, who have not expiated their sins, will again spring to birth with disgraceful marks.

55. KILLING a *Bráhmen*, drinking forbidden liquor, stealing *gold from a priest*, adultery with the wife of a father, *natural or spiritual*, and associating with such as commit those offences, wise legislators must declare to be crimes in the highest degree, *in respect of those after mentioned, but less than incest in a direct line, and some others.*

* The colour *syáva* has been before rendered "black-yellow" by the translator in v. 153, Chap. III.: here he simply translates it "black." It is a matter of little or no consequence, but the colour is generally interpreted brown. In MENU it is only employed to describe the teeth.

56. FALSE boasting of a high tribe, malignant information, before the king, *of a criminal who must suffer death,* and falsely accusing a spiritual preceptor, are crimes *in the second degree, and nearly* equal to killing a *Bráhmen.*

57. Forgetting the texts of scripture, showing contempt of the *Véda,* giving false evidence *without a bad motive,* killing a friend *without malice,* eating things prohibited, or, *from their manifest impurity,* unfit to be tasted, are six crimes nearly equal to drinking spirits; *but perjury and homicide require in atrocious cases the harshest expiation.*

58. To appropriate a thing deposited *or lent for a time,* a human creature, a horse, precious metals, a field, a diamond, or any other gem, is nearly equal to stealing *the* gold *of a* Bráhmen.

59. Carnal commerce with sisters by the same mother, with little girls, with women of the lowest mixed class, or with the wives of a friend or of a son, the wise must consider as nearly equal to a violation of the paternal bed.

60. SLAYING a bull or cow, sacrificing what ought not to be sacrificed, adultery, selling oneself, deserting a preceptor, a mother, a father, or a son, omitting to read the scripture, and neglect of the fires *prescribed by the* Dhermasástra *only.*

61. The marriage of a younger brother before the elder, and that elder's omission to marry before the younger, giving a daughter to either of them, and officiating at their nuptial sacrifice,

62. Defiling a damsel, usury, want of perfect chastity in a student, selling a holy pool or garden, a wife, or a child,

63. Omitting the sacred investiture, abandoning a kinsman, teaching the *Véda* for hire, learning it from a hired teacher, selling commodities, that ought not to be sold,

64. Working in mines of any sort, engaging in *dykes, bridges, or other* great mechanical works, spoiling medicinal plants *repeatedly,* subsisting by *the harlotry of* a wife offering sacrifices and preparing charms to destroy *the innocent,*

65. Cutting down green trees for firewood, performing

holy rites with a selfish view merely, and eating prohibited food *once without a previous design.*

66. Neglecting to keep up the consecrated fire, stealing *any valuable thing besides gold,* non-payment of *the three* debts, application to the books of a false religion, and excessive attention to musick or dancing,

67. Stealing grain, base metals, or cattle, familiarity *by the twice-born* with women who have drunk inebriating liquor, killing *without malice* a woman, *a Súdra, a Vaisya,* or a *Cshatriya,* and denying a future state of rewards and punishments, are all crimes in the third degree, *but higher or lower according to circumstances.*

68. Giving pain to a *Bráhmen,* smelling at any spirituous liquor or any thing *extremely fetid and* unfit to be smelt, cheating, and unnatural practices with a male, are considered as causing a loss of class.

69. To kill an ass, a horse, a camel, a deer, an elephant, a goat, a sheep, a fish, a snake, or a buffalo, is declared an offence, which degrades the killer to a mixed tribe.

70. Accepting presents from despicable men, illegal traffick, attendance on a *Súdra*-master, and speaking falsehood, must be considered as causes of exclusion from social repasts.

71. Killing an insect, small or large, a worm, or a bird, eating what has been brought *in the same basket* with spirituous liquor, stealing fruit, wood, or flowers, and great perturbation of mind *on trifling occasions,* are offences which cause defilement.

72. You shall now be completely instructed in those penances, by which all the sins just mentioned are expiable.

73. If a *Bráhmen* have killed a man of the sacerdotal class, *without malice prepense, the slayer being far superiour to the slain in good qualities,* he must himself make a hut in a forest and dwell in it twelve whole years, subsisting on alms for the purification of his soul, placing near him, as a token *of his crime,* the skull of the slain, *if he can procure it, or, if not, any human skull. The time of penance for the three lower classes must be twenty four, thirty six, and forty eight, years.*

74. Or, *if the slayer be of the military class,* he may vol-

untarily expose himself as a mark to archers, who know *his intention;* or, *according to circumstances,* may cast himself head-long thrice, *or even till he die,* into blazing fire.

75. Or, *if he be a king, and slew a priest without malice or knowledge of his class,* he may perform, *with presents of great wealth,* one of the following sacrifices; an *Aswamédha,* or a *Swerjit,* or a *Gósava,* or an *Abhijit,* or a *Viswajit,* or a *Trivrĭt,* or an *Agnishtut.*

76. Or, to expiate the guilt of killing a priest *without knowing him and without design,* the killer may walk *on a pilgrimage* a hundred *yójanas,* repeating any one of the *Védas,* eating barely enough to sustain life, and keeping his organs in perfect subjection;

77. Or, *if in that case the slayer be unlearned but rich,* he may give all his property to some *Bráhmen* learned in the *Véda,* or a sufficiency of wealth for his life, or a house and furniture *to hold while he lives:*

78. Or, eating only such wild grains as are offered to the gods, he may walk to *the head of* the river *Saraswatì* against the course of the stream; or, subsisting on very little food, he may thrice repeat the whole collection of *Védas,* or the *Rĭch, Yajush,* and *Sáman.*

79. Or, his hair being shorn, he may dwell near a town, or on pasture-ground for cows, or in some holy place, or at the root of a sacred tree, taking pleasure in doing good to cows and to *Bráhmens:*

80. There, for the preservation of a cow or a *Bráhmen,* let him instantly abandon life; since the preserver of a cow or a *Bráhmen* atones for the crime of killing a priest:

81. Or, by attempting at least three times forcibly to recover *from robbers* the property of a *Bráhmen,* or by recovering it in one of his attacks, or even by losing his life in the attempt, he atones for his crime.

82. Thus, continually firm in religious austerity, chaste as a student in the first order, with his mind intent on virtue, he may expiate the guilt of *undesignedly* killing a *Bráhmen,* after the twelfth year has expired.

83. Or, *if a virtuous* Bráhmen *unintentionally kill another, who had no good quality,* he may atone for his guilt

by proclaiming it in an assembly of priests and military men, at the sacrifice of a horse, and by bathing with other *Bráhmens* at the close of the sacrifice :

84. *Bráhmens* are declared to be the basis, and *Cshatriyas* the summit, of the legal system : he, therefore, expiates his offence by fully proclaiming it in such an assembly.

85. From his high birth alone, a *Bráhmen* is an object of veneration even to deities; his declarations to mankind are decisive evidence; and the *Véda* itself confers on him that character.

86. Three at least, who are learned in the *Véda*, should be assembled to declare the proper expiation for the sin *of a priest, but, for the three other classes, the number must be doubled, tripled, and quadrupled:* what they declare shall be an atonement for sinners; since the words of the learned give purity.

87. Thus a *Bráhmen,* who has performed one of the preceding expiations, *according to the circumstances of the homicide and the characters of the persons killed and killing,* with his whole mind fixed on God, purifies his soul, and removes the guilt of slaying a man of his own class :

88. He must perform the same penance for killing an embryo, *the sex of which was* unknown, *but whose parents were sacerdotal,* or a military or a commercial man employed in a sacrifice, or a *Bráhmenì*-woman, who has bathed after temporary uncleanness;

89. And *the same* for giving false evidence *in a cause concerning land or gold, or precious commodities,* and for accusing his preceptor unjustly, and for appropriating a deposit, and for killing the wife of a priest, *who keeps a consecrated fire,* or for slaying a friend.

90. Such is the atonement ordained for killing a priest *without malice;* but for killing a *Bráhmen* with malice prepense, this is no expiation :* *the term of twelve years must be doubled, or, if the case was atrocious, the murderer must actually die in flames or in battle.*

91. Any twice-born man, who has *intentionally* drunk

* Instead of "this is no expiation," the original reads, "no expiation is decreed," &c.

spirit of rice, through perverse delusion of mind, may drink more spirit in flame, and atone for his offence by severely burning his body;

92. Or he may drink boiling hot, until he die, the urine of a cow, or pure water, or milk, or clarified butter, or juice expressed from cow-dung:

93. Or, *if he tasted it unknowingly,* he may expiate the sin of drinking spirituous liquor, by eating only some broken rice or grains of *tila,* from which oil has been extracted, once every night for a whole year, wrapped in coarse vesture of hairs from a cow's tail, *or sitting unclothed in his house,* wearing his locks and beard uncut, and putting out the flag of a tavern-keeper.

94. Since the spirit of rice is *distilled from the* Mala, *or* filthy refuse, of the grain, and since *Mala* is also a name for sin, let no *Bráhmen, Cshatriya* or *Vaisya* drink that spirit.

95. Inebriating liquor may be considered as of three *principal* sorts: that extracted from dregs of sugar, that extracted from bruised rice, and that extracted from the flowers of the *Madhúca:* as one, so *are* all; they shall not be tasted by the chief of the twice-born.

96. Those liquors, and *eight* other sorts, with the flesh of animals, and *A'sava, the most pernicious beverage, prepared with narcotick drugs,* are swallowed at the juncates of *Yacshas, Racshases,* and *Pisáchas:* they shall not, therefore, be tasted by a *Bráhmen,* who feeds on clarified butter offered to gods.

97. A *Bráhmen,* stupefied by drunkenness, might fall on something very impure, or might even, when intoxicated, pronounce a *secret* phrase of the *Véda,* or might do some other act, which ought not to be done.

98. When the divine spirit, *or the light of holy knowledge,* which has been infused into his body, has once been sprinkled with any intoxicating liquor, even his priestly character leaves him, and he sinks to the low degree of a *Súdra.*

99. THUS have been promulgated the various modes of expiation for drinking spirits: I will next propound the

atonement for stealing *the* gold *of a priest to the amount of a* suverna.

100. He, who has purloined the gold of a *Bráhmen,* must hasten to the king, and proclaim his offence; adding, "Inflict on me the punishment due to my crime."

101. Then shall the king himself, taking *from him* an iron mace, *which the criminal must bear on his shoulder,* strike him with it once; and by that stroke, *whether he die or be only left as dead,* the thief is released from sin: a *Bráhmen,* by rigid penance alone *can expiate that offence; another twice-born man may also perform such a penance at his election.*

102. The twice-born man, who desires to remove by austere devotion the taint caused by stealing gold, must perform in a forest, covered with a mantle of rough bark, the penance *before ordained* for him, who *without malice prepense* has killed a *Bráhmen.*

103. By these expiations may the twice-born atone for the guilt of stealing *gold from a priest;* but the sin of adultery with the wife of a father, *natural or spiritual,* they must expiate by the following penances.

104. He, who *knowingly and actually* has defiled the wife of his father, *she being of the same class,* must extend himself on a heated iron bed, loudly proclaiming his guilt; and, there embracing the red hot iron image of a woman, he shall atone for his crime by death:

105. Or, having himself amputated his penis and scrotum, and holding them in his fingers, he may walk in a direct path toward the south-west, or the region of Nirriti, until he fall dead on the ground:

106. Or, *if he had mistaken her for another woman,* he may perform for a whole year, with intense application of mind, the penance *prájápatya,* with part of a bed, *or a human bone,* in his hand, wrapped in vesture of coarse bark, letting his hair and beard grow, and living in a deserted forest:

107. Or, *if she was of a lower class and a corrupt woman,* he may expiate the sin of violating the bed of his father, by continuing the penance *chándráyana* for three

months, always mortifying his body by eating only forest herbs, or wild grains boiled in water.

108. By the preceding penances may sinners of the *two* higher degrees atone for their guilt; and the less offenders may expiate theirs by the following austerities.

109. He, who has committed the smaller offence of killing a cow *without malice*, must drink for the first month barley-corns *boiled soft in water; his head must be* shaved *entirely;* and, covered with the hide *of the slain cow*, he must fix his abode on *her late* pasture ground:

110. He may eat a moderate quantity *of wild grains*, but without any factitious salt, for the next two months at the time of each fourth repast, *on the evening of every second day;* regularly bathing in the urine of cows, and keeping his members under controul:

111. All day he must wait on the herd, and stand quaffing the dust raised *by their hoofs;* at night, having servilely attended *and stroked* and saluted them, *he must surround them with a fence*, and sit near *to guard* them:

112. Pure and free from passion, he must stand, while they stand; follow them, when they move together; and lie down by them, when they lie down:

113. Should a cow be sick or terrified by tigers or thieves, or fall, or stick in mud, he must relieve her by all possible means:

114. In heat, in rain, or in cold, or while the blast furiously rages, let him not seek his own shelter, without first sheltering the cows to the utmost of his power:

115. Neither in his own house, or field, or floor for treading out grain, nor in those of any other person, let him say a word of a cow, who eats *corn or grass*, or of a calf, who drinks *milk:*

116. By waiting on a herd, according to these rules, for three months, the slayer of a cow atones for his guilt;

117. *But*, his penance being performed, he must give ten cows and a bull, or, his stock not being so large, must deliver all he possesses, to such as best know the *Véda*.

118. The preceding penances, or that called *chán-*

dráyana, must be performed for the absolution of all twice-born men, who have committed sins of the lower *or third* degree; except those, who have incurred the guilt of an *avacírní;*

119. But he, who has become *Avacírna,* must sacrifice *a black or* a one-eyed ass, by way of a meat-offering to Nirriti, *patroness of the south-west,* by night, in a place where four ways meet:

120. Let him daily offer to her in fire the fat of that ass, and, at the close *of the ceremony,* let him offer clarified butter, with the holy text *Sem* and so forth, to Pavana, to Indra, to Vrihaspati, and to Agni, *regents of wind, clouds, a planet, and fire.*

121. A voluntary effusion, *naturally or otherwise,* of that which may produce a man, by a twice-born youth during the time of his studentship, *or before marriage,* has been pronounced *avacírna,* or a violation *of the rule prescribed for the first order,* by sages, who knew the whole system of duty, and uttered the words of the *Véda.*

122. To the four *deities of purification,* Ma'ruta, Indra, Vrihaspati, Agni, goes all the divine light, which the *Véda* had imparted, from the student, who commits the foul sin *avacírna;*

123. But, this crime having actually been committed, he must go begging to seven houses, clothed only with the hide of the *sacrificed* ass, and openly proclaiming his act:

124. Eating a single meal begged from them, at the regular time of the day, *that is, in the morning or evening,* and bathing *each day* at the three *savanas,* he shall be absolved from his guilt at the end of one year.

125. He, who has voluntarily committed any sin, which causes a loss of class, must perform the *tormenting* penance, *thence* called *sántapana;* or the *prájápatya,* if he offended involuntarily.

126. For sins, which degrade to a mixed class, or exclude from society, the sinner must have recourse to the lunar expiation *chándráyana* for one month: to atone for acts

which occasion defilement, he must swallow nothing for three days but hot barley-gruel.

127. For killing *intentionally* a *virtuous* man of the military class, the penance must be a fourth part of that ordained for killing a priest; for killing a *Vaisya,* only an eighth; for killing a *Súdra,* who had been constant in *discharging* his duties, a sixteenth part:

128. But, if a *Bráhmen* kill a *Cshatriya* without malice, he must, after a full performance of his religious rites, give *the priests* one bull together with a thousand cows.

129. Or he may perform for three years the penance for slaying a *Bráhmen,* mortifying his organs of sensation and action, letting his hair grow long, and living remote from the town, with the root of a tree for his mansion.

130. If he kill *without malice* a *Vaisya,* who had a good moral character, he may perform the same penance for one year, or give *the priests* a hundred cows and a bull:

131. For six months must he perform this whole penance, if *without intention* he kill a *Súdra;* or he may give ten white cows and a bull to the priests.

132. If he kill *by design* a cat, or an ichneumon, the bird *chásha,* or a frog, a dog, a lizard, an owl, or a crow, he must perform the *ordinary* penance required for the death of a *Súdra, that is the chándráyana:*

133. Or, *if he kill one of them undesignedly,* he may drink nothing but milk for three *days and* nights, or *each night* walk a *yójan,* or *thrice* bathe in a river, or silently repeat the text on the divinity of water; *that is, if he be disabled by real infirmity from performing the first mentioned penances, he may have recourse to the next in order.*

134. A *Bráhmen,* if he kill a snake, must give *to some priest* a hoe, *or iron-headed stick;* if an eunuch, a load of rice-straw, and a *másha* of lead;

135. If a boar, a pot of clarified butter; if the bird *tittiri,* a *dróna* of *tila*-seeds; if a parrot, a steer two years old; if the water-bird *crauncha,* a steer aged three years:

136. If he kill *a goose, or* a phenicopteros, a *heron, or*

cormorant, a bittern, a peacock, an ape, a hawk, or a kite, he must give a cow to some *Bráhmen:* *

137. If he kill a horse, he must give a mantle; if an elephant, five black bulls; if a goat or a sheep, one bull; if an ass, a calf one year old:

138. If he kill a carnivorous wild beast, he must give a cow with abundance of milk; if a wild beast not carnivorous, a fine heifer; and a *racticà* of gold, if he slay a camel:

139. If he kill a woman *of any class* caught in adultery, he must give as an expiation, in the direct order of the four classes, a leathern pouch, a bow, a goat, and a sheep.

140. Should a *Bráhmen* be unable to expiate by gifts the sin of killing a snake and the rest, he must atone for his guilt by performing, on each occasion, the penance *prájá-patya.*

141. For the slaughter of a thousand small animals which have bones, or for that of boneless animals enow to fill a cart, he must perform the *chándráyana, or common penance for killing a Súdra;*

142. But, for killing boned animals, he must also give some trifle, *as a* pana *of copper,* to a *Bráhmen:* for killing those without bones, *he may be absolved* by holding his breath, *at the close of his penance, while he thrice repeats the gáyatrì* with its *head,* the *pranava, and the vyáhrĭtis.*

143. For cutting *once without malice* trees yielding fruit, shrubs with many crowded stems, creeping or climbing plants, or such as grow again when cut, if they were in blossom *when he hurt them,* he must repeat a hundred texts of the *Védà.*

144. For killing insects of any sort bred in rice or other grains, or those bred *in honey or other* fluids, or those bred in fruit or flowers, eating clarified butter is a full expiation.

145. If a man cut, *wantonly and* for no good purpose, such grasses as are cultivated, or such as rise in the forest spontaneously, he must wait on a cow for one day, nourished by milk alone.

146. By these penances may mankind atone for the sin of injuring sentient creatures, whether committed by design or

* It has just been remarked in the note on v. 25, that *bhása* is rendered vulture by Mr. Wilson.

through inadvertence: hear now what penances are ordained for eating or drinking what ought not to be tasted.

147. He, who drinks undesignedly any spirit *but that of rice,* may be absolved by a new investiture with the sacrificial string: even for drinking intentionally *the weaker sorts of spirit,* a penance extending to death must not (as the law is now fixed) be prescribed.

148. For drinking water which has stood in a vessel, where spirit of rice or any other spirituous liquor had been kept, he must swallow *nothing,* for five *days and* nights, but the plant *sanc'hapushpí* boiled in milk:

149. If he touch any spirituous liquor, or give any away, or accept any in due form, *or with thanks,* or drink water left by a *Súdra,* he must swallow nothing for three *days and* nights, but *cusá*-grass boiled in water.

150. Should a *Bráhmen,* who has once tasted the holy juice of the moon-plant, even smell the breath of a man who has been drinking spirits, he must remove the taint by thrice repeating the *gáyatrì,* while he suppresses his breath in water, and by eating clarified butter *after that ceremony.*

151. If any of the three twice-born classes have tasted unknowingly human ordure or urine, or any thing that has touched spirituous liquor, they must, *after a penance,* be girt anew with the sacrificial thread;

152. But, in such new investiture of the twice-born, the partial tonsure, the zone, the staff, the petition of alms, and the strict rules of abstinence, need not be renewed.

153. Should one of them eat food of those persons, with whom he ought never to eat, or food left by a woman or a *Súdra,* or any prohibited flesh, he must drink barley-gruel only for seven *days and* nights.

154. If a *Bráhmen* drink sweet liquors turned acid, or astringent juices from impure fruits, he becomes unclean, as long as those fluids remain undigested.

155. Any twice-born man, who *by accident* has tasted the dung or urine of a tame boar, an ass, a camel, a shakal, an ape, or a crow, must perform the penance *chándráyana.*

156. If he taste dried flesh-meat, or mushrooms rising from the ground, or any thing brought from a slaughter-

house, though he knew not whence it came, he must perform the same penance.

157. For *knowingly* eating the flesh of carnivorous beasts, of town-boars, of camels, of gallinaceous birds, of human creatures, of crows, or of asses, the penance *taptacrĭch'hra*, or *burning and severe*, is the *only* atonement.

158. A *Bráhmen*, who, before he has completed his theological studies, eats food at monthly obsequies *to one ancestor*, must fast three days *and nights*, and sit in water a day:

159. But a student in theology, who at any time *unknowingly* tastes honey or flesh, must perform the lowest penance, or the *prájápatya*, and proceed to finish his studentship.

160. Having eaten what has been left by a cat, a crow, a mouse, a dog, or an ichneumon, or what has even been touched by a louse, he must drink, *boiled in water*, the plant *brahmasuverchalá*.

161. By the man, who seeks purity of soul, no forbidden food must be tasted: what he has undesignedly swallowed he must instantly vomit up, or must purify himself with speed by legal expiations.

162. Such, as have been declared, are the various penances for eating prohibited food: hear now the law of penance for an expiation of theft.

163. The chief of the twice-born, having voluntarily stolen such property, as grain, raw or dressed, from the house of another *Bráhmen*, shall be absolved on performing the penance *prájápatya* for a whole year;

164. But the penance *chándráyana* must be performed for stealing a man, woman, or child, for seizing a field, or a house, or for taking the waters of an enclosed pool or well.

165. Having taken goods of little value from the house of another man, he must procure absolution by performing the penance *sántapana;* having first restored, *as the penitent thief always must*, the goods that he stole.

166. For taking what may be eaten, or what may be sipped, a carriage, a bed, or a seat, roots, flowers, or fruit, an atonement may be made by swallowing the five *pure* things produced by a cow, *or milk, curds, butter, urine, dung:*

167. For stealing grass, wood, or trees, rice in the husk, molasses, cloth or leather, *fish, or other* animal food, a strict fast must be kept three *days and three* nights.

168. For stealing gems, pearls, coral, copper, silver, iron, brass, or stone, nothing but broken rice must be swallowed for twelve days;

169. And *nothing but* milk for three days, if cotton or silk, or wool had been stolen, or a beast either with cloven or uncloven hoofs, or a bird, or perfumes, or medicinal herbs, or cordage.

170. By these penances may a twice-born man atone for the guilt of theft; but the following austerities only can remove the sin of carnally approaching those, who must not be carnally approached:

171. HE, who has wasted his manly strength with sisters by the same womb, with the wives of his friend or of his son, with girls under the age of puberty, or with women of the lowest classes, must perform the penance ordained for defiling the bed of a preceptor:

172. He, who has carnally known the daughter of his paternal aunt, *who is almost equal to* a sister, or the daughter of his maternal aunt, or the daughter of his maternal uncle, *who is* a near kinsman, must perform the *chándráyana*, or *lunar penance;*

173. No man of sense would take one of those three as his wife: they shall not be taken in marriage by reason of their consanguinity; and he, who marries any one of them, falls deep *into sin.*

174. He, who has wasted, what might have produced a man, with female brute animals, with a woman during her courses, or in any but the natural part, or in water, must perform the penance *sántapana: for a bestial act with a cow the penance must be far more severe.*

175. A twice-born man, dallying lasciviously with a male *in any place or at any time,* or with a female in a carriage drawn by bullocks, or in water, or by day, *shall be degraded, and* must bathe himself *publickly* with his apparel.

176. Should a *Bráhmen* carnally know a woman of the *Chandála* or *Mlëch'ha*-tribes, or taste their food, or accept a

gift from them, he loses his own class, if he acted unknowingly, or, if knowingly, sinks to a level *with them.*

177. A wife, excessively corrupt, let her husband confine to one apartment, and compel her to perform the penance ordained for a man, who has committed adultery:

178. If, having been solicited by a man of her own class, she again be defiled, her expiation must be the penance *prájápataya* added to the *chándráyana.*

179. The guilt of a *Bráhmen,* who has dallied a whole night with a *Chandálì*-woman, he may remove in three years by subsisting on alms, and incessantly repeating the *gáyatrì* with other mysterious texts.

180. These penances have been declared for sinners of four sorts, *those who hurt sentient creatures, those who eat prohibited food, those who commit theft, and those who are guilty of lasciviousness :* hear now the prescribed expiation for such, as hold any intercourse with degraded offenders.

181. He, who associates himself for one year with a fallen sinner, falls like him ; not by sacrificing, reading the *Véda,* or contracting affinity with him, *since by those acts he loses his class immediately,* but even by using the same carriage or seat, or by taking his food at the same board :

182. That man who holds an intercourse with any one of those degraded offenders, must perform, as an atonement for such intercourse, the penance ordained for that sinner himself.

183. The *sapindas* and *samánódacas* of a man degraded, *for a crime in the first degree,* must offer a libation of water *to his manes, as if he were naturally dead,* out of the town, in the evening of some inauspicious day, *as the ninth of the moon,* his paternal kinsmen, his officiating priest, and his spiritual guide being present.

184. A female slave must kick down with her foot an *old* pot filled with water, *which had for that purpose been placed before the south,* as if it were an oblation for the dead ; and all the kinsmen, in the nearer and remoter degrees, must remain impure for a day and a night :

185. They must thenceforth desist from speaking to him, from sitting in his company, from delivering to him any

inherited or other property, and from every civil or usual attention, *as inviting him on the first day of the year, and the like.*

186. His right of primogeniture, *if he was an elder brother*, must be withholden from him, and whatever perquisites arise from priority of birth: a younger brother, excelling him in virtue, must appropriate the share of the first-born.

187. But, when he has performed his due penance, his kinsmen and he must throw down a new vessel full of water, after having bathed together in a pure pool:

188. Then must he cast that vessel into the water; and, having entered his house, he may perform, as before, all the acts incident to his relation by blood.

189. The same ceremony must be performed by the kindred even of women degraded, for whom clothes, dressed rice, and water must be provided; and they must dwell *in huts* near the family house.

190. With sinners, whose expiations are unperformed, let not a man transact business of any kind; but those, who have performed their expiations, let him at no time reproach:

191. Let him not, however, live with those, who have slain children, or injured their benefactors, or killed suppliants for protection, or put women to death, even though such offenders have been legally purified.

192. THOSE men of the twice-born classes, to whom the *gáyatrì* has not been repeated and explained, according to law, the assembly must cause to perform three *prájápatya* penances, and *afterwards* to be girt with the sacrificial string;

193. And the same penance they must prescribe to such twice-born men as are anxious to atone for some illegal act, or a neglect of the *Véda*.

194. IF priests have accepted any property from base hands,* they may be absolved by relinquishing the presents, by repeating mysterious texts, and by acts of devotion:

* Instead of "if priests have accepted any property from base hands," we should read "if priests have acquired any property by infamous actions."

195. By three thousand repetitions of the *gáyatrì* with intense application of mind, and by subsisting on milk only for a whole month on the pasture of cows, a *Bráhmen,* who has received any gift from a bad man, *or a bad gift from any man,* may be cleared from sin.

196. When he has been mortified by abstinence, and has returned from the pasturage, let him bend low to the other *Bráhmens,* who must thus interrogate him: "Art thou really desirous, good man, of readmission to an equality with us?"

197. If he answer in the affirmative, let him give some grass to the cows, and in the place, made pure by their having eaten on it, let the men of his class give their assent to his readmission.

198. He, who has officiated at a sacrifice for outcasts, or burned the corpse of a stranger, or performed rites to destroy the innocent, or made the impure sacrifice, called *Ahína,* may expiate his guilt by three *prájápatya* penances.

199. A twice-born man, who has rejected a suppliant for his protection, or taught the *Véda* on a forbidden day, may atone for his offence by subsisting a whole year on barley alone.

200. He, who has been bitten by a dog, a shakal, or an ass, by any carnivorous animal frequenting a town, by a man, a horse, a camel, or a boar, may be purified by stopping his breath during one repetition of the *gáyatrì.*

201. To eat only at the time of the sixth meal, *or on the evening of every third day,* for a month, to repeat a *Sanhità* of the *Védas,* and to make *eight* oblations to fire, accompanied with *eight* holy texts, are always an expiation for those, who are excluded from society at repasts.

202. Should a *Bráhmen* voluntarily ascend a carriage born by camels or drawn by asses, or designedly bathe quite naked, he may be absolved by one suppression of breath, *while he repeats in his mind the most holy text.*

203. He, who has made any excretion, being greatly pressed, either without water *near him,* or in water, may be purified by bathing in his clothes out of town, and by touching a cow.

204. For an omission of the acts, which the *Véda* commands to be constantly performed, and for a violation of the duties prescribed to a housekeeper, the atonement is fasting *one day.*

205. He, who says hush or pish to a *Bráhmen,* or thou *to a superiour,* must *immediately* bathe, eat nothing for the rest of the day, and appease him by clasping his feet with respectful salutation.

206. For striking a *Bráhmen* even with a blade of grass, or tying him by the neck with a cloth, or overpowering him in argument, and adding contemptuous words, the offender must soothe him by falling prostrate.

207. An assaulter of a *Bráhmen,* with intent to kill, shall remain in hell a hundred years; for actually striking him *with the like intent,* a thousand:

208. As many small pellets of dust as the blood of a *Bráhmen* collects on the ground, for so many thousand years must the shedder of that blood be tormented in hell.

209. For a simple assault, the first *or common* penance must be performed; for a battery, the *third or* very severe penance; but for shedding blood, *without killing,* both of those penances.

210. To remove the sins, for which no particular penance has been ordained, the assembly must award a fit expiation, considering the ability of the sinner *to perform it,* and the *nature of the* sin.

211. Those penances, by which a man may atone for his crimes, I now will describe to you; penances, which have been performed by deities, by holy sages, and by forefathers *of the human race.*

212. When a twice-born man performs the *common* penance, *or that* of Prajá'pati, he must for three days eat only in the morning; for three days, only in the evening; for three days, food unasked *but presented to him;* and for three more days, nothing.

213. Eating *for a whole day* the dung and urine of cows mixed with curds, milk, clarified butter, and water boiled with *cusa*-grass, and then fasting entirely for a *day and a* night,

is the penance called *Sántapana*, (either from the devout man SANTAPANA, or from *tormenting*.)

214. A twice-born man performing the penance, called very severe, *in respect of the common*, must eat, as before, a single mouthful, *or a ball of rice as large as a hen's egg*, for three times three days; and for the last three days, must wholly abstain from food.

215. A *Bráhmen*, performing the ardent penance, must swallow nothing but hot water, hot milk, hot clarified butter, and hot steam, each of them for three days successively, performing an ablution and mortifying all his members.

216. A total fast for twelve days *and nights*, by a penitent with his organs controlled and his mind attentive, is the penance named *paráca*, which expiates all *degrees of* guilt.

217. If he diminish his food by one mouthful *each day*, during the dark fortnight, *eating fifteen mouthfuls on the day of the opposition*, and increase it, *in the same proportion*, during the bright fortnight, *fasting entirely on the day of the conjunction*, and performing an ablution regularly at sunrise, noon, and sunset, this is the *chándráyana*, or the lunar penance:

218. Such is the *penance* called ant-shaped *or narrow in the middle*; but, if he perform the barley-shaped, *or broad in the middle*, he must observe the same rule, beginning with the bright half-month, and keeping under command his organs of action and sense.

219. To perform the lunar penance of an anchoret, he must eat only eight mouthfuls of forest grains at noon *for a whole month*, taking care to subdue his mind.

220. If a *Bráhmen* eat only four mouthfuls at sunrise, and four at sunset, *for a month*, keeping his organs controlled, he performs the lunar penance of children.

221. He, who, for a whole month, eats no more than thrice eighty mouthfuls of wild grains, *as he happens* by any means *to meet with them*, keeping his organs in subjection, shall attain the same abode with the regent of the moon:

222. The *eleven Rudras*, the *twelve A'dityas*, the *eight Vasus*, the *Maruts*, or genii of the winds, and the *seven* great

Rĭshis, have performed this lunar penance as a security from all evil.

223. The oblation *of clarified butter* to fire must every day be made by *the penitent* himself, accompanied with the mighty words, *earth, sky, heaven;* he must perfectly abstain from injury to sentient creatures, from falsehood, from wrath, and from all crooked ways.

224. Or, thrice each day, and thrice each night for a month, the penitent may plunge into water clothed in his mantle, and at no time conversing with a woman, a *Súdra*, or an outcast.

225. LET him be always in motion, sitting and rising alternately; or, if unable *to be thus restless*, let him sleep low *on the bare ground;* chaste as a student of the *Véda*, *bearing the sacred zone and staff*, showing reverence to his preceptor, to the gods, and to priests;

226. Perpetually must he repeat the *gáyatrì*, and other pure texts to the best of his knowledge: thus in all penances for absolution from sin, must he vigilantly employ himself.

227. By these expiations are twice-born men absolved whose offences are publickly known, *and are mischievous by their example;* but for sins not publick, the assembly of priests must award them penances, with holy texts and oblations to fire.

228. BY open confession, by repentance, by devotion, and by reading the scripture, a sinner may be released from his guilt; or by alms-giving, in case of his inability *to perform the other acts of religion.*

229. In proportion as a man, who has committed a sin, shall truly and voluntarily confess it, so far he is disengaged from that offence, like a snake from his slough;

230. And, in proportion as his heart sincerely loathes his evil deed, so far shall his vital spirit be freed from the taint of it.

231. If he commit sin, and actually repent, that sin shall be removed from him; but if he merely say, "I will sin thus no more," he can only be released by an actual abstinence from guilt.

232. Thus revolving in his mind the certainty of retribu-

tion in a future state, let him be constantly good in thoughts, words, and action.

233. If he desire complete remission of any foul act which he has committed, either ignorantly or knowingly, let him beware of committing it again; *for the second fault his penance must be doubled.*

234. If, having performed any expiation, he feel not a perfect satisfaction of conscience, let him repeat the same devout act, until his conscience be perfectly satisfied.

235. All the bliss of deities and of men is declared by sages, who discern the sense of the *Véda,* to have in devotion its cause, in devotion its continuance, in devotion its fullness.

236. Devotion is *equal to the performance of all duties; it is* divine knowledge in a *Bráhmen;* it is defence of the people in a *Cshatriya;* devotion is *the* business *of trade and agriculture* in a *Vaisya;* devotion is dutiful service in a *Súdra.*

237. Holy sages, with subdued passions, feeding only on fruit, roots, and air, by devotion alone are enabled to survey the three worlds, *terrestrial, ethereal, and celestial,* peopled with animal creatures, locomotive and fixed.

238. Perfect health, or unfailing medicines, divine learning, and the various mansions of deities, are acquired by devotion alone: their efficient cause is devotion.

239. Whatever is hard to be traversed, whatever is hard to be acquired, whatever is hard to be visited, whatever is hard to be performed, all this may be accomplished by true devotion; for the difficulty of devotion is the greatest of all.

240. Even sinners in the highest degree, and of course the other offenders, are absolved from guilt by austere devotion well practised.

241. *Souls, that animate* worms, and insects, serpents, moths, beasts, birds, and vegetables, attain heaven by the power of devotion.

242. Whatever sin has been conceived in the hearts of men, uttered in their speech, or committed in their bodily acts, they speedily burn it all away by devotion, if they preserve devotion as their best wealth.

243. Of a priest, whom devotion has purified, the divine spirits accept the sacrifices, and grant the desires with ample increase.

244. Even BRAHMA', lord of creatures, by devotion enacted this code of laws; and the sages by devotion acquired a knowledge of the *Védas.*

245. Thus the gods themselves, observing in this universe the incomparable power of devotion, have proclaimed aloud the transcendent excellence of pious austerity.

246. By reading each day as much as possible of the *Véda,* by performing the *five* great sacraments, and by forgiving all injuries, even sins of the highest degree shall be soon effaced:

247. As fire consumes in an instant with his bright flame the wood, that has been placed on it, thus, with the flame of knowledge, a *Bráhmen,* who understands the *Véda,* consumes all sin.

248. Thus has been declared, according to law, the mode of atoning for open sins: now learn the mode of obtaining absolution for secret offences.

249. SIXTEEN suppressions of the breath, *while the holiest of texts is repeated* with the three mighty words, and the triliteral syllable, continued each day for a month, absolve even the slayer of a *Bráhmen* from his hidden faults.

250. Even a drinker of spirituous liquors is absolved by repeating each day the text *apa* used by the sage CAUTSA, or that beginning with *preti* used by VASISHT'HA, or that called *máhitra,* or that, of which the first word is *suddhavatyah.*

251. By repeating *each day for a month* the text *ásyavámíya,* or the hymn *Sivasancalpa,* the stealer of gold *from a priest* becomes instantly pure.

252. He, who has violated the bed of his preceptor, is cleared *from secret faults* by repeating *sixteen times a day* the text *havishyantíya,* or that beginning with *na tamanhah,* or by revolving in his mind the *sixteen* holy verses, called *Paurusha.*

253. The man, who desires to expiate *his hidden* sins great and small, must repeat *once a day* for a year the text *ava,* or the text *yatcinchida.*

254. He, who has accepted an illegal present, or eaten prohibited food, may be cleansed in three days by repeating the text *taratsamandíya.*

255. Though he have committed many secret sins, he shall be purified by repeating for a month the text *sómáraudra,* or the three texts *áryamna,* while he bathes in a sacred stream.

256. A grievous offender must repeat the seven verses, beginning with INDRA, for half a year; and he, who has defiled water with any impurity, must sit a whole year subsisting by alms.

257. A twice-born man, who shall offer clarified butter for a year, with *eight* texts appropriated to *eight* several oblations, or with the texts *na mé,* shall efface a sin even of an extremely high degree.

258. He, who had committed a crime of the first degree, shall be absolved, if he attend a herd of kine for a year, mortify his organs, and continually repeat the texts beginning with *pávamání,* living solely on food given in charity.

259. Or, if he thrice repeat a *Sanhità* of the *Védas,* or *a large portion of them with all the* mantras *and* bráhmenas, dwelling in a forest with subdued organs, and purified by three *parácas,* he shall be set free from all sins how heinous soever.

260. Or he shall be released from all deadly sins, if he fast three days, with his members mortified, and twice a day* plunge into water, thrice repeating the text *aghamarshana:*

261. As the sacrifice of a horse, the king of sacrifices, removes all sin, thus the text *aghamarshana* destroys all offences.

262. A priest, who should retain in his memory the whole *Rigvéda,* would be absolved from guilt, even if he had slain the inhabitants of the three worlds, and had eaten food from the foulest hands.

* The MSS. state that the sinner should plunge "thrice a day," and not "twice a day," as perhaps was in Sir William Jones's copy, which he seems to have followed.

263. By thrice repeating the *mantras* and *bráhmenas* of the *Rĭch*, or those of the *Yajush*, or those of the *Sáman*, with the *upanishads*, he shall perfectly be cleansed from every possible taint:

264. As a clod of earth, cast into a great lake, sinks in it, thus is every sinful act submerged in the triple *Véda*.

265. The divisions of the *Rĭch*, the several branches of the *Yajush*, and the manifold strains of the *Sáman* must be considered as forming the triple *Véda*: he knows the *Véda*, who knows them collectively.

266. The primary triliteral syllable, in which the three *Védas* themselves are comprised, must be kept secret, as another triple *Véda*: he knows the *Véda*, who *distinctly* knows *the mystick sense of* that word.

CHAPTER XII.*

ON TRANSMIGRATION AND FINAL BEATITUDE.

1. O THOU, who art free from sin, *said the devout sages,* thou hast declared the whole system of duties ordained for the four classes of men: explain to us now, from the first principles, the ultimate retribution for their deeds.

2. BHRIGU, whose heart was the pure essence of virtue, who proceeded from MENU himself, thus addressed the great sages:

Hear the infallible rules for *the fruit of* deeds in this universe.

3. ACTION, either mental, verbal, or corporeal, bears good or evil fruit, *as itself is good or evil;* and from the actions of men proceed their various transmigrations in the highest, the mean, and the lowest degree:

4. Of that three-fold action, connected with bodily functions, disposed in three classes, and consisting of ten orders, be it known in this world, that the heart is the instigator.

5. Devising means to appropriate the wealth of other men, resolving on any forbidden deed, and conceiving notions of atheism or materialism, are the three bad acts of mind:

6. Scurrilous language, falsehood, indiscriminate backbiting, and useless tattle, are the four bad acts of the tongue:

7. Taking effects not given, hurting sentient creatures

* The variations from the text in this chapter of the translator's version consist more in amplifications, owing to the translator having followed the comment, and not so much in any verbal differences. It will be evident, therefore, that no notice could be given of them that would not have swelled these remarks beyond the space they were intended to occupy. It will be sufficient for the mere English reader to know, that the general sense of the original has been faithfully rendered by the translator.

without the sanction of law, and criminal intercourse with the wife of another, are the three bad acts of the body; *and all the ten have their opposites, which are good in an equal degree.*

8. A rational creature has a reward or a punishment for mental acts, in his mind; for verbal acts, in his organs of speech; for corporeal acts, in his bodily frame.

9. For sinful acts *mostly* corporeal, a man shall assume *after death* a vegetable or mineral form; for such acts *mostly* verbal, the form of a bird or a beast; for acts *mostly* mental, the lowest of human conditions:

10. He, whose firm understanding obtains a command over his words, a command over his thoughts, and a command over his whole body, may justly be called a *tridandì*, or *triple commander; not a mere anchoret, who bears three visible staves.*

11. The man, who exerts this triple self-command with respect to all animated creatures, wholly subduing both lust and wrath, shall by those means attain beatitude.

12. THAT substance, which gives a power of motion to the body, the wise call *cshêtrajnya*, or *jívátman*, the vital spirit; and that body, which thence derives active functions, they name *bhútátman*, or *composed of elements:*

13. Another internal spirit, *called* mahat, or *the great soul*, attends the birth of all creatures imbodied, and thence in all mortal forms is conveyed a perception either pleasing or painful.

14. Those two, the vital spirit and reasonable soul, are closely united with *five* elements, but connected with the supreme spirit, or divine essence, which pervades all beings high and low:

15. From the substance of that *supreme spirit* are diffused, *like sparks from fire*, innumerable vital spirits, which perpetually give motion to creatures exalted and base.

16. By the vital souls of those men, who have committed sins *in the body reduced to ashes*, another body, composed of *nerves with* five sensations, in order to be susceptible of torment, shall certainly be assumed after death;

17. And, being intimately united with those minute nervous particles, according to their distribution, they shall

feel, in that new body, the pangs inflicted in each case by the sentence of YAMA.

18. When the vital soul has gathered the fruit of sins, which arise from a love of sensual pleasure, but must produce misery, and, when its taint has thus been removed, it approaches again those two most effulgent essences, *the intellectual soul and the divine spirit:*

19. They two, closely conjoined, examine without remission the virtues and vices of that sensitive soul, according to its union with which it acquires pleasure or pain in the present and future worlds.

20. If the vital spirit had practised virtue for the most part, and vice in a small degree, it enjoys delight in celestial abodes, clothed with a body formed of pure elementary particles;

21. But, if it had generally been addicted to vice, and seldom attended to virtue, then shall it be deserted by those pure elements, and, *having a coarser body of sensible nerves*, it feels the pains to which YAMA shall doom it:

22. Having endured those torments according to the sentence of YAMA, and its taint being almost removed, it again reaches those five pure elements in the order of their natural distribution.

23. Let each man, considering with his intellectual powers these migrations of the soul according to its virtue or vice, *into a region of bliss or pain*, continually fix his heart on virtue.

24. BE it known, that the three qualities of the rational soul are a tendency to goodness, to passion, and to darkness; and, endued with one or more of them, it remains incessantly attached to all these created substances:

25. When any one of the *three* qualities predominates in a mortal frame, it renders the imbodied spirit eminently distinguished for that quality.

26. Goodness is declared to be true knowledge; darkness, gross ignorance; passion, an emotion of desire or aversion: such is the compendious description of those qualities, which attend all souls.

27. When a man perceives in the reasonable soul a dis-

position tending to virtuous love, unclouded with any malignant passion, clear as the purest light, let him recognise it as the quality of goodness:

28. A temper of mind, which gives uneasiness and produces disaffection, let him consider as the adverse quality of passion, ever agitating imbodied spirits:

29. That indistinct, inconceivable, unaccountable disposition of a mind naturally sensual, and clouded with infatuation, let him know to be the quality of darkness.

30. Now will I declare at large the various acts, in the highest, middle, and lowest degrees, which proceed from those three dispositions of mind.

31. Study of scripture, austere devotion, sacred knowledge, corporeal purity, command over the organs, performances of duties, and meditation on the divine spirit, accompany the good quality of the soul:

32. Interested motives for acts *of religion or morality*, perturbation of mind *on slight occasions*, commission of acts forbidden by law, and habitual indulgence in selfish gratifications, are attendant on the quality of passion:

33. Covetousness, indolence, avarice, detraction, atheism, omission of prescribed acts, a habit of soliciting favours, and inattention to necessary business, belong to the dark quality.

34. Of those three qualities, as they appear in the three times, *past, present, and future*, the following in order *from the lowest* may be considered as a short *but certain* criterion.

35. Let the wise consider, as belonging to the quality of darkness, every act, which a man is ashamed of having done, of doing, or of going to do:

36. Let them consider, as proceeding from the quality of passion, every act, by which a man seeks exaltation and celebrity in this world, though he may not be much afflicted, if he fail of attaining his object:

37. To the quality of goodness belongs every act, by which he hopes to acquire divine knowledge, which he is never ashamed of doing, and which brings placid joy to his conscience.

38. Of the dark quality, as described, the principal object

is pleasure; of the passionate, worldly prosperity; but of the good quality, the chief object is virtue: the last mentioned *objects* are superiour in dignity.

39. SUCH transmigrations, as the soul procures in this universe by each of those qualities, I now will declare in order succinctly.

40. Souls, endued with goodness, attain always the state of deities; those filled with ambitious passions, the condition of men; and those immersed in darkness, the nature of beasts: this is the triple order of transmigration.

41. Each of those three transmigrations, caused by the several qualities, must also be considered as three-fold, the lowest, the mean, and the highest, according to as many distinctions of acts and of knowledge.

42. Vegetable and mineral substances, worms, insects, and reptiles, *some very minute, some rather larger,* fish, snakes, tortoises, cattle, shakals, are the lowest forms, to which the dark quality leads:

43. Elephants, horses, men of the servile class, and contemptible *Mléch' has,* or *barbarians,* lions, tigers, and boars, are the mean states procured by the quality of darkness:

44. Dancers and singers, birds, and deceitful men, giants and blood-thirsty savages, are the highest conditions, to which the dark quality can ascend.

45. *J'hallas,* or cudgel-players, *Mallas,* or boxers and wrestlers, *Natas,* or actors, those who teach the use of weapons, and those who are addicted to gaming or drinking, are the lowest forms occasioned by the passionate quality:

46. Kings, men of the fighting class, domestick priests of kings, and men skilled in the war of controversy, are the middle states caused by the quality of passion:

47. *Gandharvas,* or aerial musicians, *Guhyacas* and *Yacshas,* or servants and companions of CUVE'RA, genii attending superiour gods, as the *Vidyádharas* and others, together with various companies of *Apsarases* or nymphs, are the highest of those forms, which the quality of passion attains.

48. Hermits, religious mendicants, other *Bráhmens,* such orders of demigods as are wafted in airy cars, genii of the

signs and lunar mansions, and *Daityas, or the offspring of* Diti, are the lowest of states procured by the quality of goodness:

49. Sacrificers, holy sages, deities of the lower heaven, genii of the *Védas*, regents of stars *not in the paths of the sun and moon*, divinities of years, *Pitrĭs* or progenitors of mankind, and the demigods named *Sádhyas*, are the middle forms, to which the good quality conveys *all spirits moderately endued with it:*

50. BRAHMA′ with four faces, creators of worlds *under him, as* MARI′CHI *and others*, the genius of virtue, the divinities presiding over (*two principles of nature in the philosophy of* CAPILA) *mahat*, or the *mighty*, and *avyacta*, or *unperceived*, are the highest conditions, to which, by the good quality, souls are exalted.

51. This triple system of transmigrations, in which each class has three orders, according to actions of three kinds, and which comprises all animated beings, has been revealed in its full extent:

52. Thus, by indulging the sensual appetites, and by neglecting the performance of duties, the basest of men, ignorant of sacred expiations, assume the basest forms.

53. WHAT particular bodies the vital spirit enters in this world, and in consequence of what sins here committed, now here at large and in order.

54. Sinners in the first degree, having passed through terrible regions of torture for a great number of years, are condemned to the following births at the close of that period, *to efface all remains of their sin.*

55. The slayer of a *Bráhmen* must enter *according to the circumstances of his crime* the body of a dog, a boar, an ass, a camel, a bull, a goat, a sheep, a stag, a bird, a *Chandála*, or a *Puccasa*.

56. A priest, who has drunk spirituous liquor, shall migrate into the form of a smaller or larger worm or insect, of a moth, of a fly feeding on ordure, or of some ravenous animal.

57. He, who steals *the* gold *of a priest*, shall pass a thousand times into the bodies of spiders, of snakes and

cameleons, of *crocodiles and other* aquatick monsters, or of mischievous blood-sucking demons.

58. He, who violates the bed of his *natural or spiritual* father, migrates a hundred times into the forms of grasses, of shrubs with crowded stems, or of creeping and twining plants, of *vultures and other* carnivorous animals, of *lions and other* beasts with sharp teeth, or of *tigers and other* cruel brutes.

59. They, who hurt any sentient beings, are born *cats and other* eaters of raw flesh; they who taste what ought not to be tasted, maggots or small flies; they, who steal *ordinary things,* devourers of each other: they, who embrace very low women, become restless ghosts.

60. He, who has held intercourse with degraded men, or been criminally connected with the wife of another, or stolen *common things* from a priest, shall be changed into a spirit called *Bráhmarácshasa.*

61. The wretch, who through covetousness has stolen *rubies or other* gems, pearls, or coral, or precious things of which there are many sorts, shall be born *in the tribe of goldsmiths, or* among *birds called* hémacáras, *or gold-makers.*

62. If a man steal grain in the husk, he shall be born a rat; if a yellow mixed metal, a gander; if water, a *plava,* or diver; if honey a great stinging gnat; if milk, a crow; if expressed juice, a dog; if clarified butter, an ichneumon-weasel;

63. If he steal flesh-meat, a vulture; if any sort of fat, the water-bird *madgu;* if oil, a blatta, or oil-drinking beetle; if salt, a cicada or cricket; if curds, the bird *valáca.*

64. If silken clothes, the bird *tittiri;* if woven flax, a frog; if cotton cloth, the water-bird *crauncha;* if a cow, the lizard *gódhá;* if molasses, the bird *vágguda;*

65. If exquisite perfumes, a musk-rat; if potherbs, a peacock; if dressed grain in any of its various forms, a porcupine; if raw grain, a hedge-hog;

66. If he steal fire, the bird *vaca;* if a household utensil, an ichneumon-fly; if dyed cloth, the bird *chacóra;*

67. If a deer or an elephant, he shall be born a wolf; if a horse, a tiger; if roots or fruit, an ape; if a woman, a bear; if water *from a jar*, the bird *chátaca;* if carriages, a camel; if small cattle, a goat.

68. That man, who designedly takes away the property of another, or eats any holy cakes not first presented *to the deity* at a solemn rite, shall inevitably sink to the condition of a brute.

69. Women, who have committed similar thefts, incur a similar taint, and shall be paired with those male beasts in the form of their females.

70. IF any of the four classes omit, without urgent necessity, the performance of their several duties, they shall migrate into sinful bodies, and become slaves to their foes.

71. Should a *Bráhmen* omit his peculiar duty, he shall be changed into a demon called *Ulcámuc'ha* or *with a mouth like a firebrand*, who devours what has been vomited; a *Cshatriya*, into a demon called *Catapútana, who feeds on ordure and carrion;*

72. A *Vaisya*, into an evil being called *Maitrácshajyótica*, who eats purulent carcasses; and a *Súdra*, who neglects his occupations, becomes a foul imbodied spirit called *Chailásaca, who feeds on lice.*

73. As far as vital souls, addicted to sensuality, indulge themselves in forbidden pleasures, even to the same degree shall the acuteness of their senses be raised *in their future bodies, that they may endure analogous pains;*

74. And, in consequence of their folly, they shall be doomed as often as they repeat their criminal acts, to pains more and more intense in despicable forms on this earth.

75. They shall first have a sensation of agony in *Támisra* or *utter darkness*, and in other seats of horrour; in *Asipatravana*, or *the sword-leaved forest*, and in different places of binding fast and of rending:

76. Multifarious tortures await them: they shall be mangled by ravens and owls, shall swallow cakes boiling hot; shall walk over inflamed sands; and shall feel the pangs of being baked like the vessels of a potter:

77. They shall assume the forms of beasts continually

miserable, and suffer alternate afflictions from extremities of cold and of heat, surrounded with terrours of various kinds:

78. More than once shall they lie in different wombs; and, after agonizing births, be condemned to severe captivity, and to servile attendance on creatures like themselves:

79. Then shall follow separations from kindred and friends, forced residence with the wicked, painful gains and ruinous losses of wealth; friendships hardly acquired and at length changed into enmities,

80. Old age without resource, diseases attended with anguish, pangs of innumerable sorts, and, lastly, unconquerable death.

81. With whatever disposition of mind a man shall perform in this life any act *religious or moral*, in a future body endued with the same quality, shall he receive his retribution.

82. Thus has been revealed to you the system of punishments for evil deeds: next learn those acts of a *Bráhmen*, which lead to eternal bliss.

83. Studying and comprehending the *Véda*, practising pious austerities, acquiring divine knowledge *of law and philosophy*, command over the organs of sense and action, avoiding all injury to sentient creatures, and showing reverence to a *natural and spiritual* father, are the chief branches of duty which ensure final happiness.

84. Among all those good acts performed in this world, *said the sages*, is no single act held more powerful than the rest in leading men to beatitude?

85. Of all those duties, *answered* Bhrigu, the principal is to acquire from the *Upanishads* a true knowledge of one supreme GOD; that is the most exalted of all sciences, because it ensures immortality:

86. In this life, indeed, as well as the next, the study of the *Véda, to acquire a knowledge of GOD*, is held the most efficacious of those six duties in procuring felicity to man;

87. For in the knowledge *and adoration of one GOD*, which the *Véda* teaches, all the rules of good conduct, *before-mentioned* in order, are fully comprised.

88. The ceremonial duty, prescribed by the *Véda,* is of two kinds; *one* connected with this world, and causing prosperity on earth; *the other* abstracted from it, and procuring bliss in heaven.

89. A religious act, proceeding from selfish views in this world, *as a sacrifice for rain,* or in the next, *as a pious oblation in hope of a future reward,* if declared to be concrete and interested; but an act performed with a knowledge of GOD, and without self-love, is called abstract and disinterested.

90. He, who *frequently* performs interested rites, attains an equal station with the regents of the lower heaven; but he, who *frequently* performs disinterested acts of religion, becomes for ever exempt from *a body composed of* the five elements:

91. Equally perceiving the supreme soul in all beings and all beings in the supreme soul, he sacrifices his own spirit *by fixing it on the spirit of GOD,* and approaches the nature of that sole divinity, *who shines by his own effulgence.*

92. Thus must the chief of the twice-born, though he neglect the ceremonial rites mentioned in the *Sástras,* be diligent alike in attaining a knowledge of GOD and in repeating the *Véda:*

93. Such is the advantageous privilege of those, who have a double birth *from their natural mothers and from the* gáyatrì *their spiritual mother,* especially of a *Bráhmen;* since the twice-born man, by performing this duty but not otherwise, may soon acquire endless felicity.

94. To patriarchs, to deities, and to mankind, the scripture is an eye giving constant light; nor could the *Véda-Sástra* have been made by human faculties; nor can it be measured by human reason *unassisted by revealed glosses and comments:* this is a sure proposition.

95. Such codes of law as are not grounded on the *Véda,* and the various heterodox theories of men, produce no good fruit after death; for they all are declared to have their basis on darkness.

96. All systems, which are repugnant to the *Véda,* must

have been composed by mortals, and shall soon perish: their modern date proves them vain and false.

97. The three worlds, the four classes of men, and their four distinct orders, with all that has been, all that is, and all that will be, are made known by the *Véda:*

98. The nature of sound, of *tangible and visible* shape, of taste, and of odour, the fifth *object of sense,* is clearly explained in the *Véda* alone, together with the three qualities of mind, the births attended with them, and the acts which they occasion.

99. All creatures are sustained by the primeval *Véda-Sástra,* which the wise therefore hold supreme, because it is the supreme source of prosperity to this creature, man.

100. Command of armies, royal authority, power of inflicting punishment, and sovereign dominion over all nations, he only well deserves, who perfectly understands the *Véda-Sástra.*

101. As fire with augmented force burns up even humid trees, thus he, who well knows the *Véda,* burns out the taint of sin, which has infected his soul.

102. He, who completely knows the sense of the *Véda-Sástra,* while he remains in any one of the four orders, approaches the divine nature, even though he sojourn in this low world.

103. They who have read many books, are more exalted than such as have seldom studied; they who retain what they have read, than forgetful readers; they who fully understand, than such as only remember; and they who perform their known duty, than such men as barely know it.

104. Devotion and sacred knowledge are the best means by which a *Bráhmen* can arrive at beatitude: by devotion he may destroy guilt; by sacred knowledge he may acquire immortal glory.

105. Three modes of proof, ocular demonstration, logical inference, and the authority of those various books, which are deduced from the *Véda,* must be well understood by that man, who seeks a distinct knowledge of all his duties.

106. He alone comprehends the system of duties, religious and civil, who can reason, by rules of logick agreeable to the

Véda, on the general heads of that system as revealed by the holy sages.

107. These rules of conduct, which lead to supreme bliss, have been exactly and comprehensively declared: the more secret learning of this *Mánava Sástra* shall now be disclosed.

108. If it be asked, how the law shall be ascertained, when particular cases are not comprised *under any of the general rules, the answer is this:* "That, which well-instructed *Bráhmens* propound, shall be held incontestible law."

109. Well instructed *Bráhmens* are they, who can adduce ocular proof from the scripture itself, having studied, as the law ordains, the *Védas* and their extended branches, or *Védángas, Mímánsà, Nyáya, Dherma-sástra, Puránas:*

110. A point of law, *before not expressly revealed,* which shall be decided by an assembly of ten such virtuous *Bráhmens* under one chief, or, *if ten be not procurable,* of three such under one president, let no man controvert.

111. The assembly of ten under a chief, *either the king himself or a judge appointed by him,* must consist of three, each of them peculiarly conversant with one of the three *Védas, of a fourth skilled in the Nyáya, and a fifth in the Mímánsà philosophy;* of a sixth, who has particularly studied the *Niructa;* a seventh, who has applied himself most assiduously to the *Dherma-sástra;* and of three *universal scholars,* who are in the three first orders.

112. One, who has chiefly studied the *Rĭgvéda,* a second, who principally knows the *Yajush,* and a third best acquainted with the *Sáman,* are the assembly of three under a head, who may remove all doubts both in law and casuistry.

113. Even the decision of one priest, *if more cannot be assembled,* who perfectly knows the principles of the *Védas,* must be considered as law of the highest authority; not the opinion of myriads, who have no sacred knowledge.

114. Many thousands of *Bráhmens* cannot form a legal assembly for the decision of contests, if they have not performed the duties of a regular studentship, are unacquainted

with scriptural texts, and subsist only by *the name of* their sacerdotal class.

115. The sin of that man, to whom dunces, pervaded by the quality of darkness, propound the law, of which they are themselves ignorant, shall pass, increased a hundred-fold, to the wretches who propound it.

116. This comprehensive system of duties, the chief cause of ultimate felicity, has been declared to you; and the *Bráhmen*, who never departs from it, shall attain a superiour state above.

117. THUS did the all-wise MENU, who possesses extensive dominion, and blazes with heavenly splendour, disclose to me, from his benevolence to mankind, this transcendent system of law, which must be kept devoutly concealed *from persons unfit to receive it.*

118. LET every *Bráhmen* with fixed attention consider all nature, both visible and invisible, as existing in the divine spirit; for, when he contemplates the boundless universe existing in the divine spirit, he cannot give his heart to iniquity:

119. The divine spirit alone is the whole assemblage of gods; all worlds are seated in the divine spirit; and the divine spirit no doubt produces, *by a chain of causes and effects consistent with free-will,* the connected series of acts performed by imbodied souls.

120. He may contemplate the subtil ether in the cavities of his body; the air in his muscular motion and sensitive nerves; the supreme *solar and igneous* light, in his digestive heat and his visual organs; in his corporeal fluids, water; in the terrene parts of his fabrick, earth;

121. In his heart, the moon; in his auditory nerves, the guardians of eight regions; in his progressive motion, VISHNU; in his muscular force, HARA; in his organs of speech, AGNI; in excretion, MITRA; in procreation, BRAHMA':

122. But he must consider the supreme omnipresent intelligence as the sovereign lord of them all, *by whose energy alone they exist;* a spirit, *by no means the object of any sense,* which can only be conceived by a mind *wholly abstracted from matter, and as it were* slumbering; but which,

for the purpose of assisting his meditation, he may imagine more subtil than the finest conceivable essence, and more bright than the purest gold.

123. Him some adore as transcendently present in elementary fire; others, in MENU, lord of creatures, *or an immediate agent in the creation;* some, as more distinctly present in INDRA, *regent of the clouds and the atmosphere;* others, in pure air; others, as the most High Eternal Spirit.

124. It is He, who, pervading all beings in five elemental forms, causes them by the gradations of birth, growth, and dissolution, to revolve in this world, *until they deserve beatitude,* like the wheels of a car.

125. Thus the man, who perceives in his own soul the supreme soul present in all creatures, acquires equanimity toward them all, and shall be absorbed at last in the highest essence, even that of the Almighty himself.

126. HERE ended the sacred instructor; and every twice-born man, who, attentively reading this *Mánava Sástra,* promulgated by BHRIGU, shall become habitually virtuous, will attain the beatitude which he seeks.

GENERAL NOTE.

The learned *Hindus* are unanimously of opinion, that many laws enacted by Menu, their oldest reputed legislator, were confined to the three first ages of the world, and have no force in the present age, in which a few of them are certainly obsolete; and they ground their opinion on the following texts, which are collected in a work entitled, *Madana-ratnapradípa.*

I. Cratu: In the *Cali*-age a son must not be begotten *on a widow* by the brother *of the deceased husband;* nor must a damsel, *once* given away *in marriage*, be given a *second time;* nor must a bull be offered in a sacrifice; nor must a water-pot be carried *by a student in theology.*

II. Vrihaspati: 1. Appointments *of kinsmen to beget children on widows, or married women, when the husbands are deceased or impotent*, are mentioned by the sage Menu, but forbidden by himself with a view to the order of the four ages: no such act can be legally done in this age by any others *than the husband.*

2. In the first and second ages men were endued with true piety and sound knowledge; so *they were* in the third age; but in the fourth, a diminution of their *moral and intellectual* powers was ordained *by their Creator:*

3. Thus were sons of many different sorts made by ancient sages, but such cannot now be adopted by men destitute of those eminent powers.

III. Pará'sara: 1. A man, *who has held intercourse with a deadly sinner*, must abandon his country in the first age; he must leave his town, in the second; his family, in the third age; but in the fourth he needs only desert the offender.

2. In the first age, he is degraded by mere conversation with a degraded man; in the second, by touching him; in the third, by receiving food from him; but in the fourth, the sinner alone bears his guilt.

IV. NA'RADA: The procreation of a son by a brother *of the deceased*, the slaughter of cattle in the entertainment of a guest, the repast on flesh-meat at funeral obsequies, and the order of a hermit, *are forbidden or obsolete in the fourth age.*

V. *A'ditya purána:* 1. What was a duty in the first age, must not, *in all cases*, be done in the fourth; since, in the *Cali-yuga*, both men and women are addicted to sin:

2. Such are a studentship continued for a very long time, and the necessity of carrying a water-pot, marriage with a paternal kinswoman, or with a near maternal relation, and the sacrifice of a bull,

3. Or of a man, or of a horse: and all spirituous liquor, must, in the *Cali*-age, be avoided by twice-born men; so must a second gift of a married young woman, *whose husband has died before consummation*, and the larger portion of an eldest brother, and procreation on a brother's widow or wife.

VI. *Smrĭti:* 1. The appointment of a man to beget a son on the widow of his brother; the gift of a young married woman to another bridegroom, *if her husband should die* while she remains a virgin;

2. The marriage of twice-born men with damsels not of the same class; the slaughter, in a religious war, of *Bráhmens*, who are assailants with intent to kill;

3. Any intercourse with a twice-born man, who has passed the sea in a ship, even though he have performed an expiation; performances of sacrifices for all sorts of men; and *the necessity of* carrying a water-pot;

4. Walking on a pilgrimage till the pilgrim die; and the slaughter of a bull at a sacrifice; the acceptance of spirituous liquor, even at the ceremony called *Sautrámani;*

5. Receiving what has been licked off, at an oblation to fire, from the pot of clarified butter; entrance into the third order, or that of a hermit, though ordained *for the first ages;*

6. The diminution of crimes in proportion to the religious

acts and sacred knowledge *of the offenders;* the rule of expiation for a *Bráhmen* extending to death;

7. The sin of holding any intercourse with sinners; the secret expiation of any great crimes except theft; the slaughter of cattle in honour of eminent guests or of ancestors;

8. The filiation of any but a son legally begotten or given in adoption *by his parents;* the desertion of a lawful wife for any offence less than actual adultery:

9. These *parts of ancient law* were abrogated by wise legislators, as the cases arose at the beginning of the *Cali*-age, with an intent of securing mankind from evil.

On the preceding texts it must be remarked, that none of them, except that of Vrihaspati, are cited by Cullu'ca, who never seems to have considered any other laws of Menu as restrained to the three first ages; that of the *Smrĭti*, or sacred code, is quoted without the name of the legislator; and that the prohibition, in any age, of *self-defence*, even against *Bráhmens,* is repugnant to a text of Sumantu, to the precept and example of Crishna himself, according to the *Mahábhárat,* and even to a sentence in the *Véda,* by which every man is commanded *to defend his own life from all* violent aggressors.

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THE END.

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